

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT COURT OF ILLINOIS, EASTERN DIVISION**

IN RE: Lion Air Flight JT 610 Crash

**Lead Case: 1:18-cv-07686**

Original Case No.: 1:19-cv-02764

Hon. Thomas M. Durkin

**DECLARATION OF MICHAEL B INDRAJANA IN SUPPORT OF PLAINTIFF RINI  
SOEGIYONO'S REPLY BRIEF**

I, MICHAEL B. INDRAJANA, do hereby DECLARE as follows:

**BACKGROUND**

1. I am over 18 years old and have personal knowledge of the facts set forth below, and if called to do so, I could and would competently testify thereto.

2. I am licensed to practice in the State of California and have been counsel engaged by Plaintiff in this matter. I work closely with co-lead counsel Sanjiv Singh and Brian Kabateck who have submitted other declarations accepted by this court in connection with our other Lion Air clients.

3. I am an Indonesian-American who has lived in Indonesia for 15 years before moving back to the United States. I regularly travel to Indonesia for business. As such, I am intimately familiar with the Indonesian culture and legal framework due to my cultural background and work.

4. I spent seven continuous months between November 2018 and June 2019 working from Indonesia to conduct on the ground investigations, interview witnesses, and train and supervise our local Indonesian counsel the working mechanics of U.S. style civil litigation, and more

importantly, to act as one of the few, if only U.S. licensed, Indonesian speaking litigator interfacing directly and in real time with our clients and witnesses on the ground.

5. Attached as **Exhibit 1** is the true and correct copy of the expert declaration of Dr. David M. L. Tobing, S.H., M. Kn. submitted to rebut Dean Sudiro's declaration (Ex. 2.1 and Ex. 2.2 of Opposition Brief) and introduce his own analysis on Indonesian law and how Nurdin's conduct raises serious conflict of interest concerns making him unsuitable as a guardian for the minor children's interest in any capacity.

6. Attached as **Exhibit 2** is the true and correct copy of the declaration of Doddy Bastaman Surasenjaya, the professional videographer and cinematographer who was assigned to film at Decedent Niar Soegiyono's home by Juris Productions on July 2nd, 2019, in which he denied the assertions by Dian Permata Sari in her Declaration (Ex. 5 of the opposition brief) that a servant told her that the older minor daughter flung a camera when camera crews arrived to make the Lion Air video. The assertion is in fact hearsay and is rebutted by Mr. Surasenjaya's declaration that it never happened.

7. A true and correct copy of the Declaration of Hendi Sucahyo Supadiono is attached hereto as **Exhibit 3**.

8. A true and correct copy of the Declaration of Harry F. Simanjuntak is attached hereto as **Exhibit 4**.

9. A true and correct copy of several photographs showing Rini interacting with the minor children in their daily lives is attached hereto as **Exhibit 5**. During my time reviewing hundreds of photographs and dozens of video clips of the girls during the time prior to the crash and after the crash with Rini Soegiyono, I noticed that I have never seen the girls in a photo or video with Nurdin or his family, other than a single family portrait of the Wiranofa family. Indeed,

when reviewing decedent Niar Soegiyono's photos, the majority of the photos taken with the girls were either with their mother, with Rini Soegiyono, with their cousin Lunar Soegiyono, or at school. I have only seen very few photographs of Andri outside of the Wiranofa family portrait where the entire Wiranofa family was present at the family portrait setting.

10. In or around late January 2019 and early February 2019, I was traveling to Bangka with my co-counsel Rendy Kailimang from the Indonesian Law Firm Kailimang-Ponto. We encountered Mr. Herrmann and Mr. Lindquist at the lobby of the hotel we were staying in Bangka. We did not know who they were at the time, but they were easily recognizable because they were the only two Caucasian men in the hotel lobby area and actively came and went to meet with potential clients and/or families of the crash victims. During one evening, Mr. Kailimang and I met with one of our clients who already engaged with us in December 2018, and were updating him about the development of the case for a dinner meeting at the Hotel's coffee shop. As we left and headed to the exit, one of Mr. Herrmann's associate literally grabbed my client in the arm and dragged him to a corner table where Mr. Herrmann and Mr. Lindquist were sitting at a group. My client sat down and immediately was peppered with solicitation to engage with Herrmann's firm. Mr. Kailimang and I immediately approached the table and asked our client whether he would like our presence to be there. Our client, who we appreciate for his tact and discretion, stood up and told us to wait for him at the lobby so he could politely decline the solicitation. As I exited the coffee shop, I saw my client stand up and left the table and he walked to us and we reconvened at the lobby.

11. Against this backdrop, I began investigating Herrmann's local counsel, "Danto dan Tomi & Rekan" more closely after I learned from clients and others who interacted with them that they did not seem to know anything about fundamental aspects of the law, and that Mr. Columbanus

Priardanto, also known as “Danto”, explicitly disclosed that he was once a client of Mr. Herrmann’s firm when his son was killed in a tour bus accident in Seattle, Washington. Danto’s colleague, Mr. Bernardus Geriyanto Pangestutomi (“Tomi”), is believed to be a notary public but not a licensed attorney.<sup>1</sup> My investigation results can be summarized as follows:

a. My investigative efforts revealed that Neither Danto nor Tomi had any meaningful public presence beyond their personal facebook pages up to the time they set up the website [www.lawfirmdantodantomi.com](http://www.lawfirmdantodantomi.com) in late November 2018. As of today, the domain name has expired on November 28, 2019 and has not been renewed. There are no other legal matters that can be found associated with the law firm other than its relationship with Herrmann Law Group.

b. The content of the Danto and Tomi website is remarkable in that it was a literal translation of Herrmann Law Group’s website content without any unique or independent content relating to Danto and/or Tomi outside of the Herrmann Law Group material:

i. The Attorney Roll section of the website contained all the attorney names from Herrmann Law Group, including their late founder Karl Herrmann.

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<sup>1</sup> It should be further noted that the law firm name “Danto dan Tomi & Rekan” translates to Danto and Tomi and Partners, which is very unusual if not unheard of as the name of a law firm and goes against common naming convention in Indonesia or the United States. Indonesian law firm naming convention typically requires the full name of the founding attorney and partners (Adams & Co., Makes & Partners, Hutabarat Halim & Rekan), or the last names of the partners to be listed as the firm name (Kailimang & Ponto, Siregar & Djojonegoro, Adnan, Kelana, Haryanto & Hermanto (AKHH)). It is unheard of for a law firm name to have double “and” such as Danto dan Tomi & Rekan, strongly implying that the people are not familiar with the naming convention of law firms in the field.

Furthermore, the name Danto and Tomi are informal nicknames of Mr. Columbanus Priardanto (Danto) and Mr. Bernardus Geriyanto Pangestutomi (“Tomi”), such that an American equivalent of their law firm’s name would have been “Bill and Ted & Partners” or something similar.



ii. The track record of the firm contained exclusively Herrmann Law Group's track record, and zero mention of Danto and/or Tomi's activities as purportedly Indonesian lawyers.

iii. The introduction page of the website only mentioned the JT610 Lion Air crash and no other content.

c. Danto and Tomi were heavily featured in Herrmann Law Group public advertisements and press releases. Herrmann Law Group, through Danto and Tomi would regularly run blatant attorney advertising on BangkaPos, a small print and online news agency serving the Bangka Island community. In these press releases, both live and in print, Danto and Tomi consistently portray themselves as attorneys at law who represents clients in Indonesia against Lion Air, which was never true. I verified this information when I requested my co-counsel Rendy Kailimang to search the attorney records for their firm, and was not able to find their name in any of the attorney records in the Indonesian National Bar.

d. Danto and Tomi's physical address, listed at one of their open letters to the JT610 families, was in fact an unmarked unit in a residential house/retail shop complex in Kalideres, Jakarta, Indonesia. The listed address at the website is Jl. Peta Barat Citra Business Park A10, Kalideres Jakarta Barat, 11840; Tel No. 021 29018252. Upon conducting google search on the phone number, the listed phone number is identical to a private company owned by Mr. Columbanus Priardanto publicly listed in the Indonesian Ministry of Petroleum and Gas under the name of "PT Dinamika Daya Utama." PT Dinamika Daya Utama is located at the same exact complex, one unit over (A9 as opposed to A10), but otherwise having the same exact phone number. A true and correct copy of Danto dan Tomi

& Rekan's website contact info and PT Dinamika Daya Utama's entry in the Indonesian Ministry of Petroleum and Gas public listing is attached hereto as **Exhibit 6.**

e. Herrmann Law Group continuously made questionable representations about Danto and Tomi as their official Indonesian legal counsel when in fact they appear not to be licensed attorneys or own their own law firm, and effectively appear to be HLG's agents for marketing and client development.

12. With respect to Mr. Herrmann and Mr. Lindquist's statements relating to their communication with Counsel Singh, both Mr. Herrmann and Mr. Lindquist were fully aware of our attempts to mediate with Boeing as far back as November 2019. Specifically:

a. The Soegiyono matter has always been an extremely sensitive case due to the underlying domestic violence perpetrated by Decedent Andri Wiranofa against Decedent Niar Soegiyono that had been ongoing throughout their marriage, and the ongoing dispute between the Wiranofa side of the family and the Soegiyono side of the family that is the backdrop of this pending Motion for a Court Appointed *Guardian Ad Litem*.

b. Based on my recollection, Herrmann Law Group only became involved with Nurdin and the Wiranofa matter some time in September or October 2019. This is after the news of the Feinberg Boeing Non-Litigation Fund program circulated in Indonesia, and suddenly there were renewed interest in the case. I learned from my local co-counsel that Nurdin became aware of the Feinberg fund through the state prosecutor's office, and retained Herrmann Law Group not long after he learned about the settlement funds. We had filed suit on behalf of Plaintiff Soegiyono and the minor girls on May 21st, 2020.

c. I recalled that our early interactions with Herrmann Law Group was very challenging in that both firms have such a diametrically opposite sets of facts. Specifically,

we have copious amount of evidence showing misconduct on Nurdin's side of the family, while Herrmann claims that Rini Soegiyono was the ultimate bad actor that they were simply acting to protect the girls. Immediately upon learning the allegations by Herrmann Law Group, Counsel Singh and I engaged in intensive investigation of the facts in collaboration with local counsel Kailimang-Ponto.

d. I traveled back to Indonesia around November 2019 to meet with Rini Soegiyono and Kailimang-Ponto to further our investigative efforts. I began to collect the names of potential witnesses, obtaining physical and digital documents, and laid the groundwork for our local counsel to work with Rini Soegiyono in gathering evidence to show Plaintiff Nurdin's misconduct.

e. My investigative efforts continued until January 2020 when we organized the evidence to show Plaintiff Nurdin's misconduct and Counsel Singh prepared the evidence so that it can be shown to Herrmann Law Group to see if they are willing to settle the dispute between the two families and litigate the matter together against Boeing.

f. I met with Mr. Lindquist along with Counsel Singh, Counsel Kabateck, and one of Kabateck LLP's counsel on January 30th, 2020 at the signature FBO private jet terminal in a private meeting room. Mr. Herrmann was not present at the meeting and I was told by Mr. Lindquist that he was either en route or already in Indonesia to do work on other matters. During the meeting, Counsel Singh led and delivered a comprehensive PowerPoint presentation to Mr. Lindquist. I recall Mr. Lindquist made a comment that he was not too familiar with the facts of the case at the time of the meeting and will get a "crash course" of the facts in Indonesia. Later, it became clear to me that Mr. Lindquist did not conduct his own investigation but rather was taking Nurdin's statements at face value.

g. I recalled Mr. Lindquist was professional and cordial at the in-person meeting at the Signature FBO. Most importantly he agreed we would settle the matter but not agree on custody. He was generally agreeable. At the conclusion of the PowerPoint presentation, Mr. Lindquist confirmed to Counsellor Singh and Counsellor Kabateck that Herrmann Law Group has no objection with us continuing our settlement efforts with Boeing.

h. After the meeting and as we were preparing to leave the parking lot of the building, Mr. Lindquist approached me and Counsel Singh at the parking lot to continue the conversation while Counsel Kabateck has flown back to Los Angeles. I recalled Mr. Lindquist having a serious and frank discussion about possibly settling the dispute between Nurdin and Rini Soegiyono and offered joint custody for the girls.

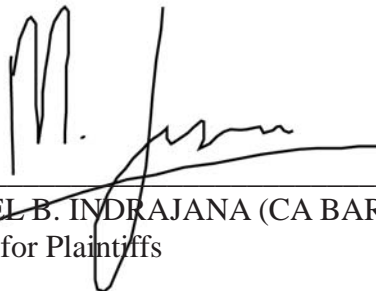
i. At the FBO meeting, I recalled that Mr. Lindquist was willing to discuss with Mr. Herrmann but generally expressed that he was agreeable for the attorney-eyes only review of the evidence because he claimed he wanted to do the right thing for the girls.

j. I was deeply shocked and felt betrayed by Chuck Herrmann's letter on March 2nd, 2020, going completely 180 degrees from what was agreed upon at the FBO meeting.

k. Furthermore, the notion that they were not aware of the settlement efforts is simply not true. Mr. Lindquist and Mr. Herrmann were fully aware of the complexity of the Wiranofa case due to Nurdin prematurely signing the Lion Air Release while Rini Soegiyono adamantly refused to sign the Lion Air Release and made the decision to litigate against Boeing in the United States. I recalled having conversations with Counsel Singh and Kabateck on the Wiranofa Release issue and that Herrmann Law Group was trying to settle both cases at a much-diminished value based on the Wiranofa Release.

I declare under penalty of perjury under the laws of the State of California and Illinois that the foregoing is true and correct to the best of my knowledge or belief based on reliable information.

DATED this 8th day of June 2020, at San Mateo, CA.

A handwritten signature in black ink, appearing to read 'M. Indrajana', is written over a horizontal line.

MICHAEL B. INDRAJANA (CA BAR 258329)  
Attorney for Plaintiffs

**EXHIBIT 1**

**TO DECLARATION OF MICHAEL B. INDRAJANA IN  
SUPPORT OF PLAINTIFF RINI SOEGIYONO'S REPLY BRIEF**

**DECLARATION OF DR. DAVID M.L. TOBING, SH, M.KN/  
SURAT PERNYATAAN DR. DAVID M.L. TOBING, SH, M.KN**

<p>1. My name is Dr. David M.L. Tobing, S.H., M.Kn. I am a citizen and resident of Republic of Indonesia. I am 18 years of age and I have personal knowledge of the matters stated below and, if called as a witness, could and would testify thereto.</p>	<p>1. Nama saya adalah Dr. David M. L. Tobing, S.H., M.Kn.. Saya adalah warganegara dan penduduk Republik Indonesia. Saya sudah berumur lebih dari 18 tahun, dan saya punya pengetahuan pribadi dari pernyataan-pernyataan berikut ini, dan jikalau dipanggil untuk menjadi saksi, bersedia dan akan bersaksi sesuai dengan pernyataan dibawah ini.</p>
<p>2. I have a license to practice law in Indonesia and have practiced law for more than twenty years nationally across jurisdictions in Indonesia.</p> <p>I am the founding partner of the law firm Adams &amp; Co. Counsellors-at-Law, a boutique Indonesian law firm specializing in litigation matters.</p> <p>I have earned four degrees:</p> <ul style="list-style-type: none"> <li>• Faculty of Law, University of Indonesia, Jakarta, Indonesia (S.H., 1995)</li> <li>• Specialist Programs for Notary and Real Property, University of Indonesia, Jakarta, Indonesia (Sp. N. 2000);</li> <li>• Master Degree for Notary, University of Indonesia, Jakarta, Indonesia (M. Kn., 2005);</li> <li>• Doctoral Degree, University of Indonesia, Jakarta, Indonesia (DR. 2015)</li> </ul> <p>My publications, honors and awards, and representative matters are as follows:</p> <p><u>Publication</u></p> <ul style="list-style-type: none"> <li>• Contributors of the book "Penyalahgunaan Keadaan (Misbruik Van Omstandigheden) Sebagai Alasan (Baru)</li> </ul>	<p>2. Saya memiliki ijin praktek advokat di Indonesia dan saya telah berpraktek hukum lebih dari dua puluh tahun secara nasional di seluruh yurisdiksi di Indonesia</p> <p>Saya adalah partner pendiri kantor hukum Adams &amp; Co, Counsellors-at-Law, kantor hukum Indonesia dengan spesialisasi kasus litigasi.</p> <p>Saya telah memperoleh empat gelar:</p> <ul style="list-style-type: none"> <li>• Fakultas Hukum, Universitas Indonesia, Jakarta, Indonesia (S.H. 1995);</li> <li>• Program Spesialis untuk Notaris dan Tanah, Universitas Indonesia, Jakarta, Indonesia (Sp.N. 2000);</li> <li>• Master untuk Notaris, Universitas Indonesia, Jakarta, Indonesia (M.Kn. 2005);</li> <li>• Doktor, Universitas Indonesia, Jakarta, Indonesia (DR. 2015).</li> </ul> <p>Berikut adalah publikasi, penghargaan, dan kasus representative yang saya tangani:</p> <p><u>Riwayat Publikasi</u></p> <ul style="list-style-type: none"> <li>• Kontributor dalam buku "Penyalahgunaan Keadaan (Misbruik Van Omstandigheden) Sebagai Alasan (Baru) Untuk Pembatalan Perjanjian"</li> </ul>

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SURAT PERNYATAAN DR. DAVID M.L. TOBING, SH, M.KN

<p>Untuk Pembatalan Perjanjian”<sup>1</sup> in 2010 arranged by DR. H.P.Panggabean S.H., M.S.</p> <ul style="list-style-type: none"> <li>• Book titled “Parkir + Perlindungan Hukum Konsumen”<sup>2</sup> in 2007 written by David M.L. Tobing S.H.Mkn., published by PT Timpani Agung.</li> <li>• Contributors of the book “Panduan Bantuan Hukum di Indonesia: Pedoman Anda Memahami dan Menyelesaikan Masalah Hukum”<sup>3</sup> in 2014 published by The Indonesian Legal Aid Foundation works together with the Australian Indonesia Partnership for Justice.</li> </ul> <p><u>Honor And Awards</u></p> <ul style="list-style-type: none"> <li>• Consumer Protection Figure from Non-Governmental Organizations (NGOs) established based on Decree of the Minister of Trade of the Republic of Indonesia Number 741 of 2018.</li> <li>• <i>The Most Inspiring Lawyer in Pro Bono Non-Litigation</i> in an event organized by Hukumonline - Ministry of Law and Human Rights of the Republic of Indonesia in 2018 and 2019.</li> <li>• Indonesia’s Top 100 Lawyers 2019 and 2020, Asia Business Law Journal.</li> <li>• The Indonesian delegation (expert) at the Voluntary Peer Review (VPR) Forum of Consumer Protection Law and Policy of Indonesia, was held at the 4th session of the Intergovernmental Group of Experts on Consumer Protection Law and Policy (IGE Consumer) on 8 July 2019, Geneva Swiss.</li> </ul>	<p>tahun 2010 yang disusun DR. H.P.Panggabean S.H., M.S.</p> <ul style="list-style-type: none"> <li>• Buku berjudul “<i>Parkir + Perlindungan Hukum Konsumen</i>” tahun 2007 Karangan David M.L. Tobing S.H.Mkn. diterbitkan oleh PT Timpani Agung</li> <li>• Kontributor dalam buku “<i>Panduan Bantuan Hukum di Indonesia: Pedoman Anda Memahami dan Menyelesaikan Masalah Hukum</i>” tahun 2014 diterbitkan oleh Yayasan Lembaga Bantuan Hukum Indonesia bekerja sama dengan Australia Indonesia Partnership for Justice</li> </ul> <p><u>Riwayat Penghargaan</u></p> <ul style="list-style-type: none"> <li>• Tokoh Perlindungan Konsumen dari Unsur Lembaga Swadaya Masyarakat yang ditetapkan berdasarkan Keputusan Menteri Perdagangan RI Nomor 741 Tahun 2018</li> <li>• <i>The Most Inspiring Lawyer in Pro Bono Non-Litigation</i> dalam acara yang diselenggarakan Hukumonline - Kementerian Hukum dan HAM Republik Indonesia pada tahun 2018 dan 2019.</li> <li>• 100 Pengacara Top Indonesia untuk tahun 2019 dan 2020, Asia Business Law Journal.</li> <li>• Delegasi Indonesia (ahli) pada Forum Voluntary Peer Review (VPR) of Consumer Protection Law and Policy of Indonesia, diselenggarakan pada sesi ke-4 Intergovernmental Group of Experts on Consumer Protection Law and</li> </ul>
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<sup>1</sup> English Translation of the Title: “Wrongful Use Of Situation As Pretext To Void Agreements”

<sup>2</sup> English Translation of the Title: “Consumer Protection Laws”

<sup>3</sup> English Translation of the Title: “Guidebook for Legal Assistance in Indonesian Law: Your Guide To Understanding And Resolving Legal Issues.”

DECLARATION OF DR. DAVID M.L. TOBING, SH, M.KN/  
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<p><u>Representative Cases</u></p> <ul style="list-style-type: none"> <li>• <i>Djatikusumo v. P.T. Garuda Indonesia</i><sup>4</sup> (215/PDT.G/2018/PN.JKT.PST) (Personal Injury case against Garuda where Plaintiff suffered severe burns on his body when two airline stewardess spilled hot water to his body and Defendant failed to provide immediate medical assistance and caused permanent injury as a result)</li> <li>• <i>Indonesian Consumer Community v. PT PLN Persero</i><sup>5</sup>, (454/PDT.G/2019/PN.JKT.PST.) (Class Action against public electricity utility company where the public utility company was negligent and caused mass power interruptions resulting the disruption of mass transportation services including the MRT and public trains, including damages to consumers caused by prolonged power interruption)</li> </ul>	<p>Policy (IGE Consumer) pada 8 Juli 2019, Genewa Swiss.</p> <p><u>Kasus Representatif</u></p> <ul style="list-style-type: none"> <li>• <i>Djatikusumo v. P.T. Garuda Indonesia</i> (215/PDT.G/2018/PN.JKT.PST) (Kasus ganti rugi penumpang Garuda Indonesia yang terluka karena tersiram air panas yang ditumpahkan oleh dua orang pramugari, dan tergugat tidak memberikan bantuan medis yang cukup sehingga penumpang menderita cacat tetap)</li> <li>• <i>Komunitas Konsumen Indonesia v. PT PLN Persero</i>, (454/PDT.G/2019/PN.JKT.PST.) (Kasus massal bahwa tergugat PT PLN Persero melanggar hak subjektif konsumen dimana tergugat lalai dan menyebabkan mati listrik massal mengakibatkan gangguan layanan kereta listrik dan MRT, dan kerugian konsumen yang disebabkan oleh mati lampu berkepanjangan)</li> </ul>
<p>3. I have been retained by the U.S. law firms Kabateck, LLP, Sanjiv N. Singh, a PLC, and Indrajana Law Group, a PLC, to advise them and their clients on various Indonesian laws, including but not limited to Indonesian Civil Code and the Indonesian Compilation of Islamic Laws (KHI).</p> <p>The U.S. Law Firms have asked me to review the declaration of Dean Ahmad Sudiro</p>	<p>3. Saya telah diminta oleh firma hukum Amerika Serikat (A.S.) Kabateck LLP, Sanjiv N. Singh, a PLC, dan Indrajana Law Group, a PLC, untuk menasehati mereka dan klien mereka tentang berbagai pokok hukum Indonesia, termasuk hukum perdata Indonesia dan Kompilasi Hukum Islam (KHI).</p> <p>Firma-firma hukum tersebut telah meminta saya untuk meninjau pernyataan</p>

<sup>4</sup> Garuda Indonesia is the flag carrier of Indonesia.

<sup>5</sup> PLN PERSERO is a government operated national public utility company which has a monopoly on electricity distribution in Indonesia. PLN stands for "Perusahaan Listrik Negara", literally meaning State Electricity Company in English.

<p>submitted by Nurdin Semendawai, together with other exhibits and declarations filed by his counsel, and to provide my expert opinion concerning the validity of the order entered on December 5th, 2018 by the Bogor Religious Court establishing Nurdin Rahman Semendawai ("Nurdin") and Dewi Afriza ("Dewi") as legal guardians of their two orphaned minor granddaughters.</p> <p>I have also been asked to provide my expert opinion on the legality of the affidavit submitted by Nurdin to Jasa Raharja for decedent Niar Ruri Sunarniati Soegiyono ("Niar Soegiyono"), in which he claimed to be the guardian of his granddaughters when in fact he had no custody or legal guardianship of the minor grandchildren at that time.</p>	<p>Dosen Ahmad Sudiro yang diajukan oleh Nurdin Semendawai, bersama dengan lampiran dan deklarasi lain yang diajukan oleh penasihat hukumnya, dan untuk memberikan pendapat ahli saya tentang validitas Penetapan yang didaftarkan pada tanggal 5 Desember 2018 melalui Pengadilan Agama Bogor yang menetapkan Nurdin Rahman Semendawai ("Nurdin") dan Dewi Afriza ("Dewi") sebagai wali sah dari dua cucu perempuan mereka yang yatim piatu.</p> <p>Saya juga diminta untuk memberikan pendapat ahli saya tentang legalitas pernyataan tertulis yang diajukan oleh Nurdin ke Jasa Raharja untuk almarhum Niar Ruri Sunarniati Soegiyono ("Niar Soegiyono"), di mana ia mengaku sebagai wali cucunya ketika sebenarnya ia tidak memiliki hak asuh atau perwalian hukum dari cucu yang masih dibawah umur pada saat itu.</p>
<p>4. In forming my opinions, my firm conducted a thorough review of the documents, including briefs, declarations and exhibits, as well as interviewing witnesses, and consulting with other experts.</p> <p>Documents we reviewed including<sup>6</sup>:</p> <ul style="list-style-type: none"> <li>• PLAINTIFF RINI EKA A. SOEGIYONO'S CONTESTED MOTION FOR AN ORDER APPOINTING A PROFESSIONAL GUARDIAN AD LITEM FOR MINORS PLAINTIFFS (ECF Docket No. 523)</li> <li>• DECLARATION OF PLAINTIFFS COUNSEL IN SUPPORT OF MOTION FOR ORDER APPOINTING GUARDIAN AD LITEM</li> </ul>	<p>4. Dalam membentuk pendapat saya, kantor saya melakukan tinjauan menyeluruh terhadap dokumen-dokumen tersebut, termasuk <i>brief</i>, deklarasi dan lampiran, serta mewawancarai para saksi, dan berkonsultasi dengan para ahli lainnya.</p> <p>Dokumen yang kami pelajari termasuk<sup>7</sup>:</p> <ul style="list-style-type: none"> <li>• PLAINTIFF RINI EKA A. SOEGIYONO'S CONTESTED MOTION FOR AN ORDER APPOINTING A PROFESSIONAL GUARDIAN AD LITEM FOR MINORS PLAINTIFFS (ECF Docket No. 523)</li> <li>• DECLARATION OF PLAINTIFFS COUNSEL IN SUPPORT OF MOTION FOR ORDER APPOINTING GUARDIAN AD LITEM</li> </ul>

<sup>6</sup> The documents I received and reviewed were in the original English format, such that the English titles are retained in the Indonesian version of the list.

<sup>7</sup> Dokumen yang saya pelajari adalah versi asli Bahasa Inggris, sehingga judul dokumen dipersiapkan dalam Bahasa Inggris sesuai yang saya terima dan pelajari langsung.

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<p>them while making long term plans and adjustments for them. At the time, Nurdin and Dewi were in Saudi Arabia and did not see the children until almost a week after the crash.</p> <p>e) A dispute quickly arose between Nurdin and Dewi on one hand, and Rini on the other as to who should become the children's legal guardian.</p> <p>f) Nurdin and Dewi were determined immediately after the crash never to let Rini to become the minor children's legal guardian despite Rini objectively being the more suitable candidate for the minor children's best interest and well being. This was admitted by her daughter Dian in her declaration submitted in support of their opposition to the Guardian Ad Litem motion.</p> <p>g) Against this backdrop, Nurdin actively maneuvered behind Rini's back who was actively taking care of the girls and preparing the funeral for her sister when her body was found.</p> <p>h) Nurdin by the way of his children and children-in-law, ransacked Andri and Niar's bedroom and took possession of Andri and Niar's valuables and vital documents so that he could claim Andri and Niar's property and insurance claims while effectively preventing Rini from doing so.</p> <p>i) On November 8, 2018, while Rini and the girls were in Cirebon to attend Niar's funeral, Nurdin submitted an affidavit falsely declaring himself as the legal guardian of the minor children and received Jasa Raharja insurance proceed on behalf of Niar Soegiyono despite that he was not one of her legal beneficiaries under Indonesian law and</p>	<p>yatim piatu untuk merawat mereka sambil membuat rencana jangka panjang dan penyesuaian untuk mereka. Pada saat itu, Nurdin dan Dewi berada di Arab Saudi dan tidak melihat anak-anak itu sampai hampir seminggu setelah kecelakaan.</p> <p>e) Perselisihan dengan cepat muncul antara Nurdin dan Dewi dan Rini mengenai siapa yang menjadi wali hukum para gadis.</p> <p>f) Nurdin and Dewi sejak awal dari kecelakaan udara terjadi bertekad untuk tidak membiarkan Rini menjadi wali hukum para gadis meskipun Rini secara objektif menjadi kandidat yang lebih cocok untuk kepentingan dan kesejahteraan terbaik para gadis. Ini diakui oleh putrinya, Dian, dalam deklarasi yang diajukan untuk mendukung oposisi mereka terhadap mosi <i>Guardian Ad Litem</i>.</p> <p>g) Dengan latar belakang ini, Nurdin secara aktif bergerak di belakang layer tanpa sepengetahuan Rini yang secara aktif merawat para gadis dan menyiapkan pemakaman untuk saudara perempuannya ketika tubuhnya ditemukan.</p> <p>h) Nurdin melalui anak-anak dan menantunya menggeledah kamar tidur Andri dan Niar dan mengambil kepemilikan atas barang-barang berharga Andri dan Niar sehingga ia dapat mengklaim klaim properti dan klaim asuransi Andri dan Niar dan sekaligus menghadang Rini untuk melakukan hal yang sama.</p> <p>i) Pada tanggal 8 November 2018, ketika Rini dan anak-anak itu berada di Cirebon untuk menghadiri pemakaman Niar, Nurdin mengajukan pernyataan tertulis yang menyatakan dirinya sebagai wali yang sah dari para anak-anak dibawah umur dan menerima asuransi Jasa Raharja untuk kepentingan Niar Soegiyono meskipun ia</p>
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was not physically with the minor children or nurturing or caring for them in any way.

j) On November 16, 2018, Nurdin and Dewi submitted a petition for legal guardianship in the Bogor Religious Court, even though the proper jurisdiction for this case would have been in the East Jakarta Religious Court, given the decedents and their daughters were residents of East Jakarta at the time of the crash.

This Petition to the Bogor Court is based on false premises in that (a) Nurdin did meet the legal qualifications of a legal guardian as a matter of law, and (b) the two witness testimonies stated Nurdin had custody of the children during the time period of 10/29/2018 to 11/16/2018 when in fact the girls were being cared by Rini Soegiyono instead who were living together with the girls at the time.

k) On December 5th, 2018, the Bogor Religious Court tribunal issued a supposed order to appoint Nurdin and Dewi as the legal guardians of the minor children. The girls strongly rejected their grandparents and wanted to live with Rini Soegiyono instead. As a compromise, Rini Soegiyono stayed with the girls at their parents' home while Nurdin and Dewi remained living in their home at Bogor, an approximately one hour and a half drive away from Andri's house.

l) Nurdin forced Rini Soegiyono out of the house sometime in late February 2019. It appears to us this happened after Rini refused to cooperate with Nurdin to sign Niar Soegiyono's Lion Air Release.

bukan salah satu dari ahli waris yang sah di bawah hukum Indonesia dan dia sendiri tidak secara langsung bersama dengan anak-anak atau merawat atau mengasuh mereka sama sekali.

j) Pada 16 November 2018, Nurdin dan Dewi mengajukan permohonan perwalian hukum di Pengadilan Agama Bogor, meskipun yurisdiksi yang tepat untuk kasus ini adalah di Pengadilan Agama Jakarta Timur, mengingat orang yang meninggal dan anak perempuan mereka adalah penduduk Jakarta Timur pada saat kecelakaan.

Permohonan yang diajukan ke Pengadilan Agama Bogor ini didasarkan pada premis yang salah bahwa (a) Nurdin memenuhi kualifikasi hukum sebagai wali hukum berdasarkan hukum, dan (b) dua kesaksian saksi menyatakan Nurdin memiliki hak asuh atas anak-anak selama periode 10 / 29/2018 hingga 11/16/2018 ketika sebenarnya para gadis itu dirawat oleh Rini Soegiyono yang tinggal bersama dengan anak-anak itu pada saat itu.

k) Pada tanggal 5 Desember 2018, Pengadilan Agama Bogor mengeluarkan penetapan yang mengangkat Nurdin dan Dewi sebagai wali yang sah dari para anak-anak. Anak-anak itu menolak kakek-nenek mereka dan ingin tinggal bersama Rini Soegiyono. Sebagai kompromi, Rini Soegiyono tinggal bersama anak-anak itu di rumah orang tua mereka sementara Nurdin dan Dewi tetap tinggal di rumah mereka di Bogor, sekitar satu setengah jam perjalanan jauhnya dari rumah Andri.

l) Nurdin memaksa Rini Soegiyono keluar dari rumah sekitar akhir Februari 2019. Ini terjadi setelah Rini menolak bekerja sama dengan Nurdin untuk menandatangani surat pelepasan Lion Air atas name Niar Soegiyono.

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<p>m) Since that time, the two minor girls have been living at their parents home under the supervision of three domestic workers, Ida, Umi, and Sidjo, who in turn reported to Nurdin and Dewi who lived in a different city.</p> <p>Nurdin installed a CCTV system at the house to remotely monitor the girls and the domestic workers.</p> <p>n) At some point after June 2019, Nurdin's daughter and son-in-law, Dian and her husband, Hamid, began to live in the same compound where the girls lived but in a separate building. They typically come in the evening after the workday, and would leave early in the morning to go to their work.</p> <p>It should be noted that even in this arrangement, none of the adults who regularly care for the girls are the actual legal guardians, who lived more than an hour drive away from where the girls live.</p>	<p>m) Sejak saat itu, kedua gadis telah tinggal di rumah orang tua mereka di bawah pengawasan tiga asisten rumah tangga, Ida, Umi, dan Sidjo, yang pada gilirannya melaporkan kepada Nurdin dan Dewi yang tinggal di kota yang berbeda.</p> <p>Nurdin memasang sistem CCTV di rumah tersebut untuk memantau anak-anak dan asisten rumah tangga dari jarak jauh.</p> <p>n) Di satu waktu setelah Juni 2019, putri dan menantu Nurdin, Dian dan suaminya, Hamid, mulai tinggal di kompleks yang sama tempat para gadis itu tinggal tetapi di Gedung yang terpisah. Mereka biasanya datang pada malam hari setelah hari kerja, dan akan pergi pagi-pagi untuk pergi bekerja.</p> <p>Perlu ditekankan bahwa bahkan dalam hal ini, wali anak-anak yang sebenarnya tidak mengurus anak-anak secara langsung, dan sebaliknya anak-anak dirawat oleh orang-orang dewasa lain sementara wali tinggal lebih dari 1 jam perjalanan naik mobil dari tempat tinggal anak-anak.</p>
<p align="center"><b>OPINION I</b></p>	<p align="center"><b>OPINI I</b></p>
<p>5. With respect to the Declaration submitted by Nurdin to Jasa Raharja dated November 8th, 2018, it is my opinion that this document was produced in bad faith and against the applicable laws in Indonesia:</p> <p>a. Nurdin claimed to be the legal guardian of his minor granddaughters when in fact he was not their legal guardian. This is made worse when considering the fact that he did not even file his petition until November 16th, 2018.</p> <p>b. Nurdin has no legal right to receive the Jasa Raharja proceeds on behalf of Niar Soegiyono because he is not a</p>	<p>5. Sehubungan dengan Deklarasi yang disampaikan oleh Nurdin kepada Jasa Raharja tanggal 8 November 2018, saya berpendapat bahwa dokumen ini dibuat dengan itikad buruk dan bertentangan dengan hukum yang berlaku di Indonesia:</p> <p>a. Nurdin mengaku sebagai wali sah dari cucunya yang kecil padahal sebenarnya dia bukan wali sah mereka. Lebih buruk lagi ketika mempertimbangkan fakta bahwa ia bahkan tidak mengajukan permohonannya hingga 16 November 2018.</p> <p>b. Nurdin tidak memiliki hak hukum untuk menerima hasil Jasa Raharja atas nama Niar Soegiyono karena secara hukum ia bukan ahli waris dari Niar Soegiyono.</p>

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<p>recognized beneficiary of Niar Soegiyono as a matter of law.</p> <p>c. Nurdin wrongfully and unlawfully received the proceeds from Jasa Raharja and deprived the two other beneficiaries, Rini Soegiyono and Triwidya A. Soegiyono their respective portion of the proceeds. To this date, neither Rini Soegiyono nor Triwidya A. Soegiyono have received their portion of the Jasa Raharja proceeds on behalf of Niar Soegiyono.</p>	<p>c. Nurdin secara tidak sah menerima kompensasi dari Jasa Raharja dan merampas dua penerima manfaat lainnya, Rini Soegiyono dan Triwidya A. Soegiyono atas bagian masing-masing. Sampai saat ini, Rini Soegiyono maupun Triwidya A. Soegiyono belum menerima dari Jasa Raharja atas nama Niar Soegiyono.</p>
OPINION II	OPINI II
<p>6. With respect to the Bogor Religious Court's order appointing Nurdin and Dewi as legal guardians, it is in my opinion that the Bogor Religious Court Order was improperly obtained and there are grounds to cancel this Order for the following reasons:</p> <p>a. The Bogor Court Order was predicated upon Nurdin and Dewi's meeting the legal requirements of becoming a legal guardian, which under KHI Art. 107(4) requires that the legal guardian shall be an adult who is healthy in body and in mind, honest, and have upstanding moral. In this case, it is clear that neither Nurdin nor Dewi would have met the qualification of being legal guardians, when both Nurdin and Dewi are elderly and have preexisting health conditions, and Nurdin has previously submitted a false affidavit to Jasa Raharja such that he does not meet the honesty and moral upstanding requirement. Nurdin also submitted false statement as to his physical presence caring for the girls when he was actually lives in a different city more than one hour away.</p> <p>b. The two witnesses who made their sworn testimony in the petition wrongfully testified that the minor children</p>	<p>6. Sehubungan dengan Penetapan Pengadilan Agama Bogor yang mengangkat Nurdin dan Dewi sebagai wali yang sah, menurut pendapat saya, Penetapan Pengadilan Agama Bogor tidak didasarkan alasan yang benar dan terdapat alasan untuk membatalkannya dengan alasan-alasan berikut:</p> <p>a. Penetapan Pengadilan Bogor didasarkan oleh Nurdin dan Dewi memenuhi persyaratan hukum untuk menjadi wali yang sah, yang berdasarkan Pasal 107 (4) KHI yang mensyaratkan bahwa wali yang sah haruslah orang dewasa yang sehat jasmani dan rohani, jujur, dan bermoral. Dalam hal ini, cukuplah jelas bahwa baik Nurdin maupun Dewi tidak memenuhi syarat menjadi wali, mengingat Nurdin dan Dewi yang sudah berusia lanjut dan memiliki masalah kesehatan yang sudah ada sebelumnya, dan Nurdin sebelumnya telah mengajukan pernyataan tertulis palsu kepada Jasa Raharja sehingga ia tidak memenuhi persyaratan kejujuran dan moral yang baik. Nurdin juga memberikan pernyataan palsu tentang kehadirannya secara langsung dalam mengasuh anak-anak walaupun pada kenyataannya beliau tinggal lebih dari satu jam perjalanan di kota lain.</p> <p>b. Dua saksi yang membuat kesaksian dibawah sumpah dalam permohonan bersaksi palsu bahwa anak-anak berada dalam</p>

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<p>were in Nurdin's care from the day they lost their parents up to the filing date of the petition (October 29, 2018 to November 16, 2018).</p> <p>c. Specifically, Nurdin and Dewi were in Saudi Arabia and did not arrive in Jakarta until November 4th, 2018. Between October 29th, 2018 to November 4th, 2018, Rini Soegiyono stayed and lived with the minor children.</p> <p>d. On the night of November 5th, 2018 the minor children and Rini Soegiyono traveled to Cirebon and attended decedent Niar Soegiyono's funeral and did not return to Jakarta until November 8th, 2018. Nurdin and Dewi were not present at the funeral and remained in Jakarta.</p> <p>e. The minor children stayed with Rini Soegiyono for the remaining relevant dates from November 8th, 2018 to November 16, 2018 at their deceased parents' home.</p> <p>f. Based on the following facts, it is proven that the witnesses testimonies were in fact false, and it is in my opinion that had the Bogor Religious Court been made aware of these facts, they would not have issued the Order to Nurdin and Dewi. He also failed to disclose to the Bogor Religious Court that there were interested party members in Jakarta such as Rini Soegiyono.</p>	<p>perawatan Nurdin sejak mereka kehilangan orang tua mereka sampai tanggal pengajuan permohonan (29 Oktober 2018 hingga 16 November 2018).</p> <p>c. Khususnya, Nurdin dan Dewi berada di Arab Saudi dan belum tiba di Jakarta sampai 4 November 2018. Antara 29 Oktober 2018 hingga 4 November 2018, Rini Soegiyono tinggal dan bersama anak-anak.</p> <p>d. Pada malam hari tanggal 5 November 2018, anak-anak dan Rini Soegiyono melakukan perjalanan ke Cirebon dan menghadiri pemakaman almarhumah Niar Soegiyono dan tidak kembali ke Jakarta sampai 8 November 2018. Nurdin dan Dewi tidak hadir di pemakaman dan tetap di Jakarta.</p> <p>e. Anak-anak tinggal bersama Rini Soegiyono dari 8 November 2018 hingga 16 November 2018 di rumah orang tua almarhum mereka.</p> <p>f. Berdasarkan fakta-fakta tersebut, terbukti bahwa kesaksian para saksi ternyata palsu, dan menurut pendapat saya bahwa jika Pengadilan Agama Bogor mengetahui fakta-fakta ini, maka tidak akan mengabulkan permohonan Nurdin dan Dewi. Beliau juga tidak memberitahukan Pengadilan Agama Bogor bahwa ada pihak lain yang bersangkutan dalam kasus ini seperti Ibu Rini Soegiyono.</p>
<b>OPINION III</b>	<b>OPINI III</b>
<p>7. With respect to Nurdin and Dewi's legal guardianship of the minor children, it is in my opinion that there are overwhelming evidence of their misconduct such that Rini Soegiyono has the right to file a petition to cancel their legal guardianship under KHI Art. 109:</p>	<p>7. Sehubungan dengan perwalian Nurdin dan Dewi atas anak-anak dibawah umur tersebut, menurut pendapat saya ada banyak bukti kesalahan mereka sehingga Rini Soegiyono memiliki hak untuk mengajukan pembatalan perwalian hukum mereka di bawah Pasal 109 KHI:</p>

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<p>a. KHI Art. 109 authorizes a family relative of the minors to submit a petition to cancel the legal guardianship of a person if the guardians act negligently or against the best interest of the minor he or she has guardianship over.</p> <p>b. Nurdin and Dewi have been negligent in raising the minor children from the very first day because they refused to live with the children who they have legal guardianship over. At first, the girls lived with Rini Soegiyono until she was banished out of the house by Nurdin.</p> <p>c. After Rini Soegiyono was banned from the house, the children made to live with by three domestic workers who reported to Nurdin and Dewi, while they installed a CCTV system so they can monitor the children remotely from their home in a different city, which went on for months.</p> <p>d. At some point, Nurdin and Dewi sent their daughter and son-in-law, Dian and Hamid, to purportedly live and supervise the children. Assuming this is true, neither Dian or Hamid are the minor children's legal guardians.</p> <p>e. The obligations and prohibitions of guardians of minors are also regulated in KHI Art. 110 (1) to (4), "Guardians are obliged to take care of themselves and the assets of children under their guardianship and are obliged to provide religious guidance, education and other skills."</p> <p>f. Dian had admitted in her declaration that she and Hamid do not have children. As such, they have zero experience in raising two children and are not candidates for substitute guardians. In contrast, Rini Soegiyono has raised two of her children that</p>	<p>a. Pasal 109 KHI memberi wewenang kepada kerabat keluarga anak di bawah umur untuk mengajukan permohonan untuk membatalkan perwalian seseorang jika wali bertindak lalai atau bertentangan dengan kepentingan terbaik anak di bawah umur yang ia miliki perwaliannya.</p> <p>b. Nurdin dan Dewi lalai dalam membesarkan anak-anak kecil sejak hari pertama karena mereka menolak untuk tinggal bersama anak-anak yang seharusnya mereka lindungi. Awalnya, anak-anak itu tinggal bersama Rini Soegiyono sampai dia diusir dari rumah oleh Nurdin.</p> <p>c. Setelah Rini Soegiyono dilarang dari rumah, anak-anak itu dibuat tinggal bersama dengan tiga orang asisten rumah tangga yang melapor kepada Nurdin dan Dewi, sementara mereka memasang sistem CCTV agar dapat memantau anak-anak itu dari jarak jauh dari rumah mereka di kota lain, yang berlangsung selama berbulan-bulan.</p> <p>d. Pada titik tertentu, Nurdin dan Dewi menyuruh putri dan menantu mereka, Dian dan Hamid, untuk hidup dan mengawasi anak-anak itu. Dengan asumsi ini benar, baik Dian maupun Hamid bukanlah wali sah anak perempuan.</p> <p>e. Kewajiban dan larangan wali anak di bawah umur juga diatur dalam Pasal 110 ayat (1) hingga (4), "Wali berkewajiban mengurus diri dan harta anak yang di bawah perwaliannya dan berkewajiban memberikan bimbingan agama, pendidikan, dan keterampilan lainnya."</p> <p>f. Dian telah mengakui dalam pernyataannya bahwa dia dan Hamid tidak memiliki anak. Dengan demikian, mereka tidak memiliki pengalaman dalam membesarkan dua anak perempuan dan bukan calon yang baik untuk wali pengganti. Sebaliknya, Rini Soegiyono</p>
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have grown to two healthy and functioning adults.	telah membesarkan dua anaknya yang telah tumbuh menjadi dewasa yang sehat dan baik.
<b>OPINION IV</b>	<b>OPINI IV</b>
<p>8. With respect to the Ahmad Sudiro, the expert who submitted his declaration in support of Nurdin's opposition, it is my opinion that Mr. Sudiro lacks the qualification to opine as an expert for Indonesian Family and Islamic laws and that there are many fundamental errors in his legal analysis as an expert:</p> <p>a. Based on the information Mr. Sudiro provided as his credentials, he is an Indonesian aviation law expert and none of his publications or expertise show any experience whatsoever in Indonesian and Islamic family and custody law.</p> <p>b. Mr. Sudiro has his entire legal career as a legal academic scholar and has zero legal experience in litigation such that he is not qualified to provide opinion in litigation procedural and substantive issues.</p> <p>c. Mr. Sudiro claimed to be a dean of the Faculty of Law of Tarumanegara University, but he failed to provide the University's letter of appointment as a Dean of the University.</p> <p>d. Mr. Sudiro's legal analysis on the Jasa Raharja affidavit, in which he assumed that Nurdin was the <i>de facto</i> guardian is erroneous and without any factual or legal basis.</p> <p>e. Furthermore, Mr. Sudiro's assertion that Nurdin can remedy the situation by disclosing his premature error to Jasa Raharja is absurd because ultimately, (1) Nurdin lied in an executed affidavit by falsely</p>	<p>8. Sehubungan dengan Ahmad Sudiro, ahli yang mengajukan pernyataan untuk mendukung oposisi Nurdin, menurut pendapat saya, Pak Sudiro tidak memiliki kualifikasi untuk dipilih sebagai ahli terkait hukum Keluarga dan hukum Islam di Indonesia dan bahwa ada banyak kesalahan mendasar dalam analisis hukumnya sebagai ahli:</p> <p>a. Berdasarkan informasi yang diberikan oleh Pak Sudiro sebagai kualifikasi pakarnya, beliau adalah pakar hukum penerbangan Indonesia dan tidak ada publikasi atau keahliannya yang menunjukkan pengalaman apa pun terkait hukum keluarga Islam dan hukum perwalian di Indonesia.</p> <p>b. Bapak Sudiro memiliki jenjang karir hukum sebagai sarjana akademis hukum dan tidak memiliki pengalaman hukum dalam litigasi sehingga ia tidak memenuhi syarat untuk memberikan pendapat terkait prosedural litigasi.</p> <p>c. Bapak Sudiro mengaku dirinya sebagai dekan Fakultas Hukum Universitas Tarumanegara, tetapi beliau tidak menunjukkan adanya surat pengangkatannya dari Universitas sebagai Dekan.</p> <p>d. Analisis hukum Bpk. Sudiro tentang surat pernyataan Jasa Raharja, di mana beliau menganggap bahwa Nurdin adalah wali secara <i>de facto</i> adalah tidak benar dan tanpa dukungan fakta maupun legal.</p> <p>e. Lebih jauh, pernyataan Pak Sudiro bahwa Nurdin dapat melakukan koreksi dengan mengungkapkan kesalahan prematurnya kepada Jasa Raharja adalah tidak masuk akal karena (1) Nurdin berbohong dalam</p>

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<p>claiming he was the legal guardian when he was not, and (2) Nurdin has not returned the money to Jasa Raharja that he has no legal rights to, and (3) Nurdin has not returned the money to the proper beneficiaries Rini Soegiyono and Triwidya Soegiyono.</p>	<p>pernyataan tertulis yang mengklaim bahwa ia adalah wali yang sah, dan (2) ) Nurdin belum mengembalikan uang yang bukan berhak miliknya ke Jasa Raharja, dan (3) Nurdin belum mengembalikan uang kepada penerima manfaat yaitu Rini Soegiyono dan Triwidya Soegiyono.</p>
<p>f. Mr. Sudiro also omitted key statutory language when he argued that Nurdin and Dewi have superior priority to the guardianship under KHI Art. 156(A), in which he immediately cited KHI Art. 156(A)(3) and omitted KHI Art. 156(A)(1) which actually states women from the mother's side having priority above women from the father's side of the family.</p>	<p>f. Pak Sudiro juga tidak mengutip seluruh pasal undang-undang dengan lengkap sewaktu beliau berpendapat bahwa Nurdin dan Dewi memiliki prioritas utama untuk perwalian berdasarkan Pasal 156 (A) KHI, di mana ia hanya mengutip Pasal 156 (A) (3) KHI dan menghilangkan Pasal 156 (A) (1) KHI yang menyatakan wanita dari sisi ibu memiliki prioritas dibandingkan wanita dari sisi ayah di keluarga.</p>
<p>The full language of KHI Art. 156(A) states as follows:</p>	<p>Bahasa lengkap Pasal 156(A) KHI menyatakan sebagai berikut:</p>
<p>"A child who has not come to age is entitled to guardianship by the mother, unless if the mother has died, in which her position may be substituted by:</p> <ol style="list-style-type: none"> <li>(1) <b>women in a direct line above from the mother's side;</b> (emphasis added)</li> <li>(2) the father;</li> <li>(3) women in a direct line above from the father's side;</li> <li>(4) female siblings of the child;</li> <li>(5) women having blood relationship in the same line from the father's side.</li> </ol>	<p>"Anak yang belum mumayyiz berhak mendapatkan hadhanah dan ibunya, kecuali bila ibunya telah meninggal dunia, maka kedudukannya digantikan oleh:</p> <ol style="list-style-type: none"> <li>(1) <b>wanita-wanita dalam garis lurus ke atas dari ibu;</b> (penekanan ditambahkan)</li> <li>(2) ayah;</li> <li>(3) wanita-wanita dalam garis lurus ke atas dari ayah;</li> <li>(4) saudara perempuan dari anak yang bersangkutan;</li> <li>(5) wanita-wanita kerabat sedarah menurut garis samping dari ayah" </li></ol>
<p>As the maternal aunt of the children, Rini Soegiyono would have <b>superior position</b> in the plain language of KHI Art. 156(A)(1).</p>	<p>Sebagai bibi dari anak-anak almarhumah, Rini Soegiyono akan memiliki <b>posisi sebagai wali lebih tinggi</b> berdasarkan Pasal 156 (A) (1) KHI.</p>
<p>Every family or other person also has the right to be the guardian of the minor child. In KHI Art. 156 (c), it is written that "If the holder of the hadhanah is apparently unable to</p>	<p>Setiap keluarga atau orang lain juga berhak menjadi wali sang anak yang masih di bawah umur. Dalam Pasal 156 ayat (c) KHI, tertulis bahwa "Apabila pemegang hadhanah ternyata</p>



<p>guarantee the physical and spiritual safety of the child, even though the cost of living has been fulfilled, then at the request of the relative of the Religious Court can transfer his custody to other relatives."</p> <p>g. Mr. Sudiro's analysis on the appealability of the Bogor Religious Court order is also incorrect. As discussed above, under KHI Art. 109, the law expressly allows a relative to petition to cancel the guardianship at any time should the legal guardian is a drunkard, gambler, financially wasteful, insane, acting negligently or abusing his or her authority as a legal guardian, or otherwise acting against the interest of the minors. Mr. Sudiro failed to cite to KHI Art. 109 and instead represented that Rini Soegiyono has no legal basis to challenge the legal guardianship order when there is clear legal framework to do so. We now know from Dian's Declaration that Plaintiff Nurdin deliberately excluded Rini Soegiyono as possible guardian from day one after the crash.</p> <p>h. Mr. Sudiro's application of KHI law where he claimed the divisions of the shares are fixed by Indonesian law is also erroneous. KHI Art. 183 states that the beneficiaries may agree and negotiate among themselves once they are aware of their respective portions. <b>This is highly important and given the circumstances, a <i>Guardian Ad Litem</i> for the minor children independent from the other beneficiaries is a necessity in order to protect the rights of the minor girls' financial interests.</b> (emphasis added).</p> <p>It appears Nurdin is asking his expert to have an opinion that would enable a higher recovery for Nurdin individually.</p>	<p>tidak dapat menjamin keselamatan jasmani dan rohani anak, meskipun biaya nafkah telah dicukupi, maka atas permintaan kerabat Pengadilan Agama dapat memindahkan hak asuhnya kepada kerabat lain."</p> <p>g. Analisis Bapak Sudiro tentang upaya hukum penetapan Pengadilan Agama Bogor juga keliru. Seperti dibahas di atas, berdasarkan Pasal 109 KHI, secara tegas mengizinkan kerabat untuk membatalkan perwalian setiap saat seandainya wali adalah pemabuk, penjudi, boros secara finansial, gila, bertindak lalai atau menyalahgunakan kewenangannya sebagai wali yang sah, atau bertindak melawan kepentingan anak di bawah umur. Pak Sudiro gagal mengutip Pasal 109 KHI dan sebaliknya menyatakan bahwa Rini Soegiyono tidak memiliki dasar hukum untuk melakukan upaya hukum atas perwalian padahal ada dasar hukum yang jelas untuk melakukannya. Kami sekarang tahu dari pernyataan Dian bahwa Penggugat Nurdin dari awal kejadian dengan sengaja mengesampingkan Rini Soegiyono untuk menjadi calon wali anak-anak.</p> <p>h. Penerapan hukum KHI oleh Mr. Sudiro di mana dia menyatakan pembagian ditetapkan oleh hukum Indonesia juga keliru. Pasal 183 KHI menyatakan bahwa penerima manfaat dapat menyetujui dan bernegosiasi di antara mereka sendiri begitu mereka mengetahui bagian mereka masing-masing. <b>Ini sangat penting dan mengingat keadaannya, perwalian untuk anak-anak dibawah umur yang terpisah dari ahli waris lain sekarang menjadi kebutuhan untuk melindungi hak-hak kepentingan finansial anak-anak kecil.</b> (penekanan ditambahkan).</p> <p>Sepertinya Penggugat Nurdin meminta pakar beliau untuk membuat opini yang bisa memberikan beliau bagian yang lebih untuk dirinya sendiri.</p>
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OPINION V	OPINI V
<p>9. With respect to the improper notarization of witness affidavit by Mark Lindquist, it is in my opinion that the affidavits are defective as a matter of law, and that Herrmann Law Group may have been engaging in unauthorized practice of law in Indonesian soil for the following reasons:</p> <p>a. Mark Lindquist is not licensed to perform any notarial acts in Indonesia, especially when he used his notarial seal of the State of Washington. His attempt to notarize these documents amounts to unauthorized notarial practice under Indonesian law on Notarial Acts.</p> <p>b. To the extent that Mark Lindquist and Herrmann Law Group unilaterally interviewed witnesses as stated in his declaration, this amounts to the unauthorized practice of law by Non-Indonesians on Indonesian soil.</p> <p>c. Specifically, my firm conducted our independent investigation and interviewed Mr. Hidayat Siman, the magistrate who submitted his declaration (Exhibit 11 of the Opposition Brief) in which a photograph of Mr. Siman being interviewed by Herrmann Law Group lawyers were submitted in Exhibit 12.3 of the opposition brief. We found his declaration to be completely contradictory to the prior communications Mr. Siman had with Rini Soegiyono, in which he explicitly wrote that he was being intimidated by Wahyu and Hamid.</p> <p>d. Furthermore, according to date of his defective affidavit, Mr. Siman was "invited" to a hotel to meet with Herrmann Law Group lawyers, of which he said he met with Nurdin's lawyer, his translator, and four other people. Mr. Lindquist confirmed in his</p>	<p>9. Berkenaan dengan pengesahan pernyataan saksi yang tidak sah oleh Mark Lindquist, menurut pendapat saya, pernyataan tertulis itu cacat secara hukum, dan bahwa Herrmann Law Group mungkin terlibat dalam praktik hukum yang tidak sah di Indonesia atas dasar alasan berikut:</p> <p>a. Mark Lindquist tidak memiliki lisensi untuk melakukan tindakan sebagai notaris di Indonesia, terutama ketika ia menggunakan meterai dari negaranya yaitu Negara Bagian Washington. Usahnya untuk mengesahkan dokumen-dokumen ini sama dengan praktik notaris yang tidak sah berdasarkan hukum Indonesia tentang Akta Notaris.</p> <p>b. Sejauh Mark Lindquist dan Herrmann Law Group secara sepihak mewawancarai para saksi sebagaimana dinyatakan dalam pernyataannya, hal ini sama dengan praktik hukum tanpa izin oleh orang asing (Non-Indonesia) di wilayah Indonesia.</p> <p>c. Secara khusus, kantor saya melakukan investigasi independen dan mewawancarai Bpk. Hidayat Siman, kepala rukun tetangga yang membuat pernyataan (Lampiran 11 dari <i>Opposition Brief</i>) di mana foto Bp. Siman yang sedang diwawancarai oleh pengacara Herrmann Law Group berdasarkan Lampiran 12.3 dari <i>Opposition Brief</i>. Kami menemukan bahwa pernyataan itu sepenuhnya bertentangan dengan komunikasi sebelumnya yang dilakukan oleh Pak Siman dengan Rini Soegiyono, di mana ia secara jelas menulis bahwa ia diintimidasi oleh Wahyu dan Hamid.</p> <p>d. Selanjutnya, sesuai dengan tanggal pernyataan, Pak Siman "diundang" ke hotel untuk bertemu dengan pengacara Grup Hukum Herrmann, di mana ia mengatakan ia bertemu dengan pengacara Nurdin, penerjemahnya, dan empat orang lainnya. Pak,</p>

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<p>declaration and the submitted photograph that he was present with his translator and Ms. Putri, an associate of Herrmann Law Group. The picture clearly shows that Ms. Putri was the person sitting next to Mr. Siman with her laptop open, and the screen of the laptop shows a word document copy of the affidavit.</p>	<p>Lindquist mengkonfirmasi dalam deklarasi dan foto yang dikirimkan bahwa dia hadir bersama penerjemahnya dan Ibu Putri, rekan dari Grup Hukum Herrmann. Gambar itu dengan jelas menunjukkan bahwa Putri adalah orang yang duduk di sebelah Pak Siman dengan laptopnya terbuka, dan layar laptop menunjukkan salinan dokumen tertulis dari surat pernyataan.</p>
<p>e. Mr. Siman also confirmed to our team that he does not speak or read English. Given that the opposition brief did not provide the Indonesian copy of Mr. Siman's affidavit, we suspect that Mr. Siman only signed an English version of the affidavit that he did not understand the contents of said affidavit.</p>	<p>e. Pak Siman juga mengkonfirmasi kepada tim kami bahwa ia tidak fasih berbicara atau membaca bahasa Inggris. Mengingat bahwa brief oposisi tidak memberikan salinan Indonesia dari pernyataan tertulis Pak Siman, kami menduga bahwa Pak Siman hanya menandatangani versi bahasa Inggris dari pernyataan tertulis dan sebenarnya ia tidak memahami isi dari pernyataan tertulis tersebut.</p>
<p>f. To the extent that Herrmann Law Group were advertising and conducting legal work in Indonesia without a proper Indonesian local counsel, this also amounts to the unauthorized practice of law by Non-Indonesians on Indonesian soil.</p>	<p>f. Sejauh Herrmann Law Group mengiklankan dan melaksanakan praktik hukum di Indonesia tanpa penasihat hukum lokal Indonesia yang sah, ini juga merupakan praktik hukum yang tidak sah oleh orang asing (Non-Indonesia) di wilayah Indonesia.</p>
<p>I swear under penalty of perjury under the laws of the State of Illinois that the foregoing is true and correct.</p>	<p>Saya bersumpah dibawah hukum dibawah hukum negara bagian Illinois bahwa pernyataan di atas ini adalah asli dan benar.</p>
<p>Executed on this 9th, June 2020 in Jakarta, Indonesia.</p>	<p>Ditandatangani di tanggal 9, bulan Juni tahun 2020 di Jakarta, Indonesia.</p>

  
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**DAVID MARUHUM LUMBAN TOBING**

**CURRICULUM VITAE**

Name : David Maruhum Lumbantobing  
Email : david@adams.co.id, [david.tobing@gmail.com](mailto:david.tobing@gmail.com)

**EDUCATION**

1990 - 1995 : Faculty of Law, University of Indonesia  
1997 - 2000 : Notarial and Land Affairs Specialization Program, Faculty of Law, University of Indonesia  
2003 - 2005 : Master of Notarial Program, Faculty of Law, University of Indonesia  
2010 - 2015 : Doctoral Program, Faculty of Law, University of Indonesia

**WORK EXPERIENCE**

- Assistant Public Defender at Lembaga Bantuan Hukum (LBH) Jakarta 1994-1995
- Associate at Lumban Tobing and Partners 1995-1999
- Founding Partner of the ADAMS & CO., Counsellors at Law 1999 - present
- Founder and Chairman of Komunitas Konsumen Indonesia (KKI) 2009 – present

**SERVICES**

- Member of Kelompok Kerja (POKJA) Hukum Komisi Pengawas Persaingan Usaha Republik Indonesia in the period of 2002 – 2005.
- Member of Badan Perlindungan Konsumen Nasional (BPKN) in the period of 2013 - 2016, appointed based on Presidential Decree Number 80/P 2013.
- Calon Anggota OMBUDSMAN RI selection committee in the period of 2016-2021 established based on Presidential Decree Number 62/P 2015.
- Member of Anggota Badan Perlindungan Konsumen Nasional selection committee in 2020-2023 based on the Decree of the Minister of Trade Number 803 of 2019 concerning the Formation of a Selection Team for Candidates for Members of the National Consumer Protection Agency in the period of 2020-2023

**CERTIFICATE OF EXPERTISE**

- Registered Advocate of Perhimpunan Advokat Indonesia (PERADI)

- Registered Mediator of Pusat Mediasi Nasional (PMN)
- Registered Curator and Management of pada Asosiasi Kurator dan Pengurus Indonesia (AKPI)

### **PUBLICATION HISTORY**

- Contributors of the book "*Penyalahgunaan Keadaan (Misbruik Van Omstandigheden) Sebagai Alasan (Baru) Untuk Pembatalan Perjanjian*" in 2010 arranged by DR. H.P.Panggabean S.H., M.S.
- Book titled "*Parkir + Perlindungan Hukum Konsumen*" in 2007 written by David M.L. Tobing S.H.Mkn., published by PT Timpani Agung.
- Contributors of the book "*Panduan Bantuan Hukum di Indonesia: Pedoman Anda Memahami dan Menyelesaikan Masalah Hukum*" in 2014 published by Yayasan Lembaga Bantuan Hukum Indonesia in collaboration with the Australia Indonesia Partnership for Justice.
- Book titled "*David Tobing Belajar Membela Konsumen*" by 2014 written by Rita Triana Budiarti published by Kompas Gramedia.
- Book titled "*Klausula Baku: Paradoks Dalam Penegakan Hukum Perlindungan Konsumen*" in 2019 published by PT Gramedia Pustaka Utama, Jakarta.

### **HONOR AND AWARDS**

- Consumer Protection Figure from Unsur Lembaga Swadaya Masyarakat established based on Decree of the Minister of Trade of the Republic of Indonesia Number 741 in 2018.
- The Most Inspiring Lawyer in Pro Bono Non-Litigation in an event organized by Hukumonline - Ministry of Law and Human Rights of the Republic of Indonesia in 2018.
- Indonesia's Top 100 Lawyers 2019 and 2020, Asia Business Law Journal.
- The Indonesian delegation (expert) at the Voluntary Peer Review (VPR) Forum of Consumer Protection Law and Policy of Indonesia, was held at the 4th session of the Intergovernmental Group of Experts on Consumer Protection Law and Policy (IGE Consumer) on 8 July 2019, Geneva Swiss.

### **COMMUNITY DEDICATION**

- |                |  |
|----------------|--|
| 2009 - 2013    | : Deputy Chairman of Pusat Bantuan Hukum Cuma-Cuma PERADI  |
| 2009 - 2013    | : Treasurer of DPC Ikatan Advokat Indonesia (IKADIN) Jakarta Pusat   |
| 2009 - present | : Chairman of Lembaga Perlindungan Konsumen Swadaya Masyarakat (LPKSM) ADAMSCO/ Komunitas Konsumen Indonesia |

2010 - 2013 : Vice Chairman of Bidang Pembelaan Anggota Asosiasi  
Kurator & Pengurus Indonesia  
2010 - 2014 : Vice Secretary of DPC PERADI Jakarta Pusat  
2013 - 2015 : Member of Supervisor of Yayasan Kesehatan PGI Cikini  
2015 – 2018 : Secretary of Yayasan Kesehatan PGI Cikini  
2015 - 2018 : Advisory Board Member of ILUNI FHUI  
2018 – 2021 : Advisory Board Member of ILUNI FHUI  
2019 – 2022 : Consideration Board Member of Anggota Dewan  
Pertimbangan ILUNI UI  
2019 – 2022 : Vice Chairman of Asosiasi Kurator dan Pengurus Indonesia  
(AKPI)  
2018 – 2023 : General Secretary of Yayasan Kesehatan PGI Cikini

**TEACHING EXPERIENCE:**

- Guest Lecturer at the Faculty of Law, University of Indonesia with lecture material *Perbuatan Melawan Hukum* in February 20 and 27, 2009.
- Guest Lecturer at the Faculty of Law, University of Indonesia with lecture material *Kapita Selekta Masalah Aktual Hukum Perdata* in March 26, 2010.
- Public Lecture of Hukum Perlindungan Konsumen at the Faculty of Law, Padjadjaran University in March 22, 2011
- Public Lecture at the Faculty of Law, University of Pancasila with lecture material *Implementasi Undang-undang Perlindungan Konsumen Terkait dengan Sengketa Konsumen Dewasa ini* in March 15, 2011.
- Guest Lecturer at a public lecture at the Faculty of Law, Atma Jaya Indonesian Catholic University in March 16, 2011 with lecture material *Hukum Perlindungan Konsumen*.
- Public lecture at the Faculty of Law, Indonesian Christian University with material *Perlindungan Terhadap Konsumen dalam Perjanjian Baku* in January 15, 2014.
- Public Lecture in the Andalas University Faculty of Law Notarial Program with lecture material *Klausula Baku dalam Perjanjian* in April 16, 2014.
- Public Lecture in Pusat Studi Hukum (PSH) Faculty of Law, Indonesian Islamic University with a lecture material *Perkuliahan Membedah Berbagai permasalahan yang Dihadapi Konsumen di Indonesia: Upaya Solusi dan perlindungan Hukumnya* in June 18, 2014.
- Public lecture at the Faculty of Law, Parahyangan University, Bandung with lecture material *Kajian Perjanjian Baku dan Klausula Baku pada Transaksi Barang dan Jasa* in May 15, 2015.
- Public lecture at HKBP Nommensen University, Medan in May 27, 2015.
- Public Lecture at the North Sumatra State Islamic University in May 28, 2015.

- Public Lecture at the Faculty of Law, State University of Jember in October 14, 2015.
- Public Lecture at the Faculty of Law, University of Lampung in October 21, 2015.
- Guest Lecturer at the Faculty of Law, University of Indonesia on April 13, 2016.
- Guest Lecturer at the Faculty of Law, University of Indonesia in September 21, 2016.
- Guest lecturer at Indonesian Jentera Indonesia College of Law (STH) in May 9, 2017.
- Guest Lecturer at the Faculty of Law, University of Indonesia in October 18, 2017.
- Guest lecturer at Indonesian Jentera Indonesia College of Law (STH) in May 5, 2018.
- Guest lecturer at the School of Business and Management School of the Bandung Institute of Technology in September 3, 2018.
- Guest lecturer at the Sharia and Law Faculty of UIN Syarif Hidayatullah in November 21, 2018.
- Guest lecturer at the Sharia and Law Faculty of UIN Syarif Hidayatullah in March 14, 2019.
- Guest lecturer at the Faculty of Law, University of North Sumatra in April 30, 2019.
- Guest Lecturer at the Faculty of Law, University of Indonesia in May 2, 2019.

#### **INTERVIEWEE AT SEMINAR/WORKSHOP/FGD/TRAINING**

- Interviewee on *Pelatihan Penanganan Kredit Bermasalah* organized by Dewan Pimpinan Daerah Perhimpunan Bank Perkreditan Rakyat Indonesia (Perbarindo) on May 8-10, 2007.
- Interviewee on *One Day Seminar “Solusi Hukum & Ekonomi Produk Derivatif Perbankan (Case Study Structural Product Perbankan)”* organized by Chow & Associates in Oktober 2, 2009.
- Interviewee on Kegiatan Pembinaan/Edukasi Perlindungan Konsumen bagi Wartawan with the theme “*Peranan Perlindungan Konsumen dari bidang Hukum*” organized by Ministry of Trade Republic of Indonesia in April 19, 2010.
- Interviewee on Kegiatan Pembinaan/Edukasi Perlindungan Konsumen bagi Wartawan with the theme “*Menuju Aparatur Perlindungan Konsumen Yang Cerdas, Tanggap, Dan Berwawasan Dalam Menerapkan Undang-undang Perlindungan Konsumen*” organized by Ministry of Trade Republic of Indonesia in April 28-30, 2010.
- Interviewee on Kegiatan Harmonisasi Penyelenggaraan Perlindungan Konsumen with the theme “*Meningkatkan Sinergi Kerja Aparatur Melalui Penyelarasan Penyelenggaraan Perlindungan Konsumen*” organized by Ministry of Trade Republic of Indonesia in July 7-9, 2010.
- Interviewee on Kegiatan Harmonisasi Penyelenggaraan Perlindungan Konsumen with the theme “*Meningkatkan Sinergi Kerja Aparatur Melalui Penyelarasan Penyelenggaraan Perlindungan Konsumen*” organized by Ministry of Trade Republic of Indonesia in October 13-15, 2010.
- Public Discussion Panelist with the theme “*Mengupas Problematika Bandara Soekarno Hatta*” organized by PT Angkasa Pura II (Persero) in December 9, 2010.

- Interviewee on *Focussed Group Discussion* (FGD) with the theme “*Implementasi Permenhub No. PM 92 Tahun 2011 tentang Tanggung Jawab Pengangkut Angkutan Udara*” organized by BPKN in February 9, 2011.
- Interviewee on Kegiatan Harmonisasi Penyelenggaraan Perlindungan Konsumen with the theme “*Meningkatkan Sinergi Kerja Aparatur Melalui Penyelarasan Penyelenggaraan Perlindungan Konsumen*” organized by Ministry of Trade Republic of Indonesia in April 28-30, 2011.
- Interviewee on *One Day National Seminar* “*Problematisa Penagihan Utang: Mencari Format Penagihan Yang Efektif di Industri Perbankan*” organized by DPC Asosiasi Advokat Indonesia (AAI) in April 28, 2011.
- Interviewee in the Workshop “*Pemahaman Gugatan Pemahaman Gugatan Class Action dan Citizen Lawsuit, dan Pelatihan Pembuatan Dokumen bagi Staff Kementerian PPN/Bappenas*” organized by Bappenas in June 22, 2011.
- Interviewee in the Workshop “*Kajian & Analisa Klausula Baku*” organized by BPKN in September 27, 2011.
- Interviewee in the Pelatihan Karya Bantuan Hukum (KALABAHU) 2012 organized by Lembaga Bantuan Hukum (LBH) Jakarta in May 2012.
- Interviewee in the seminar at University of Indonesia in May 11, 2012 with the subject “*Penyelesaian Sengketa Konsumen Dewasa Ini*”.
- Interviewee in *Forum Group Discussion dalam rangka penyusunan rancangan peraturan Dewan Komisiner Otoritas Jasa Keuangan* held by Otoritas Jasa Keuangan in April 30, 2013.
- Interviewee in the Karya Latihan Bantuan Hukum (KALABAHU) 2013 training held by Lembaga Bantuan Hukum (LBH) Jakarta in May 2013.
- Interviewee in *Focus Group Discussion* “*Perlindungan Konsumen Jasa Perparkiran di Wilayah DKI Jakarta*” held by National Consumer Protection Agency in July 2, 2013.
- Interviewee in *Focus Group Discussion* held by Direktorat Jenderal Standarisasi Perlindungan Konsumen in December 2, 2013 with the theme “*Hambatan Undang-Undang Perlindungan Konsumen Terkait Dengan Klausula Baku Bidang Properti*”.
- Interviewee in *Knowledge Sharing Undang-Undang Perlindungan Konsumen Program* held by PT Mudi Utama Indonesia Tbk (Alfamidi) in November 20, 2013.
- Lecturer of *Pendidikan Khusus Profesi Advokat PERADI* held by YLBHI-AIPJ in October 4, 2013 with the subject “*Hukum Perlindungan Konsumen*”.
- Interviewee in *Peningkatan Kapasitas Sumber Daya Manusia (SDM) Lembaga Perlindungan Konsumen Swadaya Masyarakat (LPKSM) Tahun 2013* held by National Consumer Protection Agency in September 18 – 20, 2013.
- Lecturer of *Pendidikan Khusus Profesi Advokat PERADI* held by YLBHI-AIPJ in December 5, 2013 with the subject “*Hukum Perlindungan Konsumen*”.

- Interviewee in National Seminar 2014 Persekutuan Mahasiswa Kristen Faculty of Law, Gadjah Mada University in collaboration with National Consumer Protection Agency with the theme “*Peningkatan Perlindungan Konsumen Penerbangan di Indonesia*”
- Interviewee in *Temu Nasional LPKSM* program held by National Consumer Protection Agency in April 22-25, 2014.
- Interviewee in the International Cyber Law Seminar 2014 with the theme “*Trusted Digital Identity and Authentication Policy for Electronic Public Service and Global Commerce*” held by Lembaga Kajian Hukum Teknologi Faculty of Law, University of Indonesia in March 18-19, 2014.
- Interviewee in the Seminar *Dealing with E-Commerce Legal Risk* organized by Lembaga Kajian Hukum Teknologi Faculty of Law, University of Indonesia in May 22, 2014.
- Interviewee in Focus Group Discussion “Implementasi Perlindungan Konsumen Berdasarkan Undang-Undang Nomor 1 Tahun 2009 tentang Penerbangan” held by Bagian Hukum dan Humas Direktorat Jenderal Perhubungan Udara in June 1, 2014.
- Interviewee in National Seminar “*Pemanfaatan Media Komunikasi dalam Pemasaran Yang Bertanggung Jawab*” organized by Otoritas Jasa Keuangan in June 19, 2014.
- Interviewee in Public Discussion held by Otoritas Jasa Keuangan with the topic “*permasalahan dan solusi perlindungan konsumen pada industri keuangan di Indonesia*” in June 9, 2014.
- Interviewee in *Sosialisasi Hasil Indeksasi Putusan Mahkamah Agung* organized by Faculty of Law, Andalas University in collaboration with Lembaga Kajian dan Advokasi untuk Independensi Peradilan (LeIP) in August 20, 2014.
- Interviewee in *Sosialisasi Peraturan Otoritas Jasa Keuangan No. 01/POJK.07/2013 tentang Perlindungan Konsumen Sektor Jasa Keuangan dan Surat Edaran Otoritas Jasa Keuangan* organized by Otoritas Jasa Keuangan in September 2, 2014.
- Interviewee in Public Discussion with the theme “*Quo Vadis Advokat Indonesia*” organized by Faculty of Law, Trisaki University, in September 9, 2014.
- Interviewee in the workshop *Pembentukan Lembaga alternatif Penyelesaian Sengketa di Sektor Perbankan* held by Otoritas Jasa Keuangan in September 25, 2014.
- Interviewee in *Focus Group Discussion (FGD)* “*Strategi Mengefektifkan Eksekusi Putusan Komisi Informasi*” in February 26 held by Indonesia Corruption Watch.
- Interviewee in Hukumonline training 2015 “*Penggunaan Klausula Baku beserta Langkah Efektif dalam Menghadapi Gugatan Hukum Konsumen*” in August 25, 2015.
- Interviewee in Indomaret Training 2015, “*Knowledge Sharing: Hukum Perlindungan Konsumen,*” in September 2, 2015.
- Interviewee in Karya Latihan Bantuan Hukum 2015 LBH Bandar Lampung about “*Alternastive Dispute Resolution*” in October 22, 2015.



- Interviewee in “Edukasi Perlindungan Konsumen” held by National Consumer Protection Agency in collaboration with Institut Ilmu Pemerintahan Dalam Negeri (IPDN) in November 19, 2015.
- Interviewee in National Seminar Ikatan Profesional Bankir BPR (*iPro-BPR*) in collaboration with Faculty of Law, Pakuan University in November 25, 2015.
- Interviewee in *Focus Group Discusion* (FGD) di Direktorat Jenderal Standarisasi dan Perlindungan Konsumen Kementerian Perdagangan Republik Indonesia in November 30, 2015.
- Interviewee in seminar with the theme “Moment of Truth: Manajemen Pengaduan Sektor Jasa Keuangan Indonesia” held by Otoritas Jasa Keuangan in December 3, 2015.
- Interviewee in *Focus Group Discusion* (FGD) Klausula Penyelesaian Sengketa Melalui LAPS organized by Otoritas Jasa Keuangan in February 4, 2016.
- Interviewee in Pembekalan Calon Petugas Call Center BPKN program organized by National Consumer Protection Agency in May 25-31, 2016.
- Interviewee in Bimbingan Teknis SDM Bagi Anggota LPKSM program organized by Direktorat Jenderal Standarisasi dan Perlindungan Konsumen Kementerian Perdagangan Republik Indonesia in June 1-3, 2016.
- Interviewee in the seminar “*Tanggungjawab Produk (Product Liability) Sebagai Bentuk Perlindungan Konsumen*” organized by PT Astra Otoparts Tbk in July 26, 2016.
- Interviewee in Bimbingan Teknis SDM Bagi Anggota LPKSM program organized by Direktorat Jenderal Standarisasi dan Perlindungan Konsumen Kementerian Perdagangan Republik Indonesia in June 24-26, 2016.
- Interviewee in *Focus Group Discusion* (FGD) Acara Penyusunan Strategi Nasional Perlindungan Konsumen Keuangan Indonesia (SNPKKI) organized by Otoritas Jasa Keuangan in September 1, 2016.
- Interviewee in *Focus Group Discusion* (FGD) organized by Otoritas Jasa Keuangan in November 25, 2016.
- Interviewee in Consumer Protection Education with the theme “Keamanan Pangan Jajanan Bagi Anak Didik” organized by Badan Perlindungan Konsumen Nasional (BPKN), November 29, 2016.
- Interviewee in the implementation of the Press Conference on Journalists Information Forum activities with the theme “*Catatan Akhir Tahun BPKN 2016*” organized by Badan Perlindungan Konsumen Nasional (BPKN) in Desember 5, 2016.
- Interviewee in Kegiatan Peluncuran Strategi Perlindungan Konsumen Keuangan (SPKK) in the period of 2013-2027 with the theme “*Membangun Perilaku Cerdas Keuangan untuk Kesejahteraan Rakyat*” organized by Otoritas Jasa Keuangan in May 18, 2017.
- Interviewee in Panel Discussion “*Tanggung Jawab Direksi Korporasi atas Gugatan Konsumen*” organized by Lembaga Komisaris dan Direktur Indonesia (LKDI) in June 7, 2017.

- Interviewee in “*Berbagi Pengalaman Advokasi Perkara-Perkara Publik*” organized by Yayasan Lembaga Bantuan Hukum Indonesia in August 10, 2017.
- Interviewee in Kegiatan Bimbingan Teknis Bagi SDM Anggota LPKSM with the subject “*Pengajuan Gugatan Konsumen oleh LPKSM berdasarkan Pasal 46 Undang-undang Nomor 8 Tahun 1999 tentang Perlindungan Konsumen*” organized by Directorate of Consumer Protection in September 19, 2017.
- Moderator in *Focus Group Discussion* (FGD) on Kegiatan Forum Komunikasi Wartawan with the theme “Penguatan Kelembagaan BPKN Mendukung Strategi Nasional Perlindungan Konsumen” organized by Badan Perlindungan Konsumen Nasional Republik Indonesia (BPKN) in October 9, 2017.
- Moderator in “Kajian Optimalisasi Perlindungan Konsumen Dalam Penerapan Undang-Undang No. 23 Tahun 2014 tentang Pemerintahan Daerah” organized by Badan Perlindungan Konsumen Nasional Republik Indonesia (BPKN) in November 30, 2017.
- Interviewee in Kegiatan Sosialisasi Penyampaian Hasil Kegiatan TS Tahun 2017 organized by Otoritas Jasa Keuangan in November 29, 2017.
- Interviewee in *Focus Group Discussion* (FGD) Hasil *Thematic Surveillance* Perjanjian Baku Tahun 2017 organized by Otoritas Jasa Keuangan in December 8, 2017.
- Interviewee in *Focus Group Discussion* (FGD) about *Road Map* Mekanisme Penyelesaian Sengketa di Sektor Jasa Keuangan Tahap II organized by Otoritas Jasa Keuangan in December 21-22, 2017.
- Interviewee in the Workshop Peningkatan Pemahaman Terkait Perlindungan Konsumen Bagi Pejabat EPK di KR dan KOJK organized by Otoritas Jasa Keuangan in March 27, 2018.
- Interviewee in the Hukumonline 2018 Workshop “Memahami Regulasi dan Permasalahan Perlindungan Konsumen serta Strategi Menghadapi Gugatan Konsumen” organized by Hukumonline in May 3, 2018.
- Interviewee in Kegiatan Bimbingan Teknis Bagi SDM Anggota LPKSM Angkatan I with the subject “Pengajuan Gugatan Konsumen oleh LPKSM berdasarkan Pasal 46 Undang-undang Nomor 8 Tahun 1999 tentang Perlindungan Konsumen” organized by Directorate of Consumer Protection in May 8, 2018.
- Interviewee in *Focus Group Discussion* (FGD) Hukum Praktis dan Hukum Syariah organized by Directorate of Consumer Protection in May 14, 2018.
- Interviewee at the seminar held by Otoritas Jasa Keuangan Republik Indonesia in October 18, 2018.
- Interviewee on the *Focus Group Discussion* (FGD) with the theme “*Penyelesaian Sengketa Hukum oleh Rumah Sakit*” held in October 19, 2018.
- Interviewee on the Bedah Buku Karya Dr. H. Ikhsan Abdullah, SH., MH (Direktur Eksekutif IHW) program organized by Lembaga Advokasi Halal in December 11, 2018.



- Interviewee on the *Focus Group Discussion* (FGD) about “Pokok Pengaturan Sistem Layanan Konsumen Terintegrasi di Sektor Jasa Keuangan” organized by Otoritas Jasa Keuangan in January 17, 2019.
- Interviewee on PKPA organized by ILRC with UIN Syarif Hidayatullah and DPN Peradi in January 18, 2019
- Interviewee on the Public Discussion about “Peran Negara Dalam Melindungi Pengguna Aplikasi Pinjaman Online” organized by LBH Jakarta in January 30, 2019.
- Interviewee on the *Focus Group Discussion* (FGD) organized by MaPPI FHUI in February 27, 2019.
- Interviewee on the Pro Bono Discussion (*Pro Bono Roundtable*) organized by USAID, Ministry of Law and Human Rights, Hukumonline, Situmorang & Partners Lawfirm, and The Asia Foundation in April 1, 2019.
- Interviewee on the Pro Bono Discussion (*Pro Bono Roundtable*) about “Ada Apa dengan Program Profesi Advokat” organized by Hukumonline April 5, 2019.
- Interviewee on the Pelatihan Petugas Pengawas Barang dan Jasa (PPBJ) in 2019 organized by Direktorat Jenderal Perlindungan Konsumen dan Tertib Niaga in April 24, 2019.
- Interviewee on the seminar held by Ministry of Trade Republic of Indonesia in April 24, 2019.
- Interviewee on the Kegiatan Bimbingan Teknis Bagi SDM Anggota LPKSM organized by Direktorat Jenderal Perlindungan Konsumen dan Tertib Niaga in July 25, 2019.
- Interviewee on the Book Discussion and Launch “*Pro Bono: Prinsip dan Praktik di Indonesia*” organized by MaPPI FHUI in July 30, 2019.
- Interviewee on the *Roundtable Discussion* program organized by EUROCHAM in September 24, 2019.
- Interviewee on the *Compliant Handling Legal Sight – Training Customer Care Manager Dealer* program organized by Suzuki in September 24, 2019.

#### **INTERVIEWEE/GUEST SPEAKER ON TELEVISION**

- Interviewee on *Mata Najwa* MetroTV program with the theme “*Pengacara Cari Perkara*” <https://www.youtube.com/watch?v=TwQtB1-R6XA>
- Interviewee on Kick Andy MetroTV program with the theme “*Semut vs Gajah*” <https://www.youtube.com/watch?v=Skhcg81JsGE>
- Interviewee on the CNN Indonesia with the theme “*Listrik Padam, Warga Geram*” <https://www.youtube.com/watch?v=Vt9tmodxcFU>
- Interviewee on the *News Story Insight* MetroTV program <https://www.youtube.com/watch?v=TOO2-jzeV8U>

## **RESEARCH**

Research titled “*Klausula Baku: Paradoks Dalam Penegakan Hukum Perlindungan Konsumen*” (in the context of dissertation writing) in 2015.

- Research titled “*Preferensi Konsumen Terhadap Layanan Moda Transportasi Darat Urban di Indonesia*” published in Jakarta, July 30, 2019.

**EXHIBIT 2**

**TO DECLARATION OF MICHAEL B. INDRAJANA IN  
SUPPORT OF PLAINTIFF RINI SOEGIYONO'S REPLY BRIEF**

**DECLARATION OF DODDY BASTAMAN SURASENJAYA**  
**SURAT PERNYATAAN DODDY BASTAMAN SURASENJAYA**

<p>1. My name is Doddy Bastaman Surasenjaya. I am a citizen and resident of Republic of Indonesia. I am 18 years of age and I have personal knowledge of the matters stated below and, if called as a witness, could and would testify thereto. I hereby declare that I am in good physical and mental health, and willing to testify according to my statements below. I am making this declaration without any undue pressure or coercion from any party.</p>	<p>1. Nama saya adalah Doddy Bastaman Surasenjaya. Saya adalah warganegara dan penduduk Republik Indonesia. Saya berumur lebih dari 18 tahun, dan saya memiliki pengetahuan pribadi dari pernyataan-pernyataan berikut ini, dan jika dipanggil untuk menjadi saksi, saya bersedia dan akan bersaksi sesuai dengan pernyataan berikut ini. Saya menyatakan saya dalam keadaan sehat jasmani dan rohani bersedia bersaksi sesuai dengan pernyataan saya di bawah ini. Pernyataan saya buat tanpa ada tekanan atau paksaan dari pihak manapun.</p>
<p>2. I am a videographer and a cinematographer, and I work as a freelancer. On or about July 2<sup>nd</sup>, 2019, I was assigned by Keiko Feldman from Juris Production to the residence of decedent Niar Soegiyono who perished along with her husband in the crash.</p> <p>I was assigned to film video footage of the daughters of the decedents as a follow up to a previously held interview between Juris Production and the families of the victims of the Lion Air JT-610 held in early June 2019. This was filming that was being done for at least ten other families and was generally a well received process.</p>	<p>2. Saya adalah seorang videographer dan cinematographer, dan saya bekerja sebagai freelancer. Pada sekitar tanggal 2 Juli 2019, saya ditugaskan oleh Keiko Feldman dari Juris Production untuk datang ke rumah kediaman almarhumah Niar Soegiyono yang meninggal dengan suaminya di kecelakaan udara.</p> <p>Saya ditugaskan untuk melakukan pengambilan gambar dan/atau video terhadap anak-anak almarhum dan almarhumah sebagai tindak lanjut dari hasil wawancara antara Juris Production dengan para keluarga korban Lion Air JT-610 sekitar awal Juni 2019. Pengambilan film ini sudah dilakukan sebelumnya untuk paling tidak sepuluh keluarga korban lainnya dan pada umumnya diterima dengan baik oleh pihak keluarga.</p>

<p>3. I arrived in the morning of the video shoot before Rini Soegiyono was scheduled to arrive. As a matter of preparation routine, I usually come earlier to the shoot location so I have enough lead time to set up the equipment for the shoot session.</p> <p>As I arrived at the residence, I met two people who claimed to be the domestic assistants at the house.</p> <p>I was let in and met a man who identified himself to be the brother of the girls' paternal grandfather. The man said that he was in charge of the house at the time. I did not see anyone else.</p>	<p>3. Saat saya tiba di rumah tersebut di pagi hari sebelum Ibu Rini Soegiyono tiba di tempat. Sebagai kebiasaan dan persiapan rutin, saya biasa untuk datang lebih awal ke tempat lokasi shooting agar saya ada waktu untuk mempersiapkan equipment untuk sesi shooting.</p> <p>Setibanya di lokasi, saya bertemu dengan 2 [dua] orang mengaku sebagai Asisten Rumah Tangga [ART].</p> <p>Saya dipersilahkan masuk dan saya bertemu orang bapak laki-laki yang mengenalkan diri sebagai adik dari kakek anak-anak. Bapak itu bilang bahwa dia yang jaga di rumah itu. Saya tidak melihat orang lain lagi.</p>
<p>4. I spent some time to introduce myself to the people at the house, including the girls. I was having a reasonably friendly conversation with the people there, and the girls seemed not to mind my presence there and appeared relatively normal under the difficult circumstances of being orphans.</p> <p>At no point during the video camera shoot did either of the girls come close to the camera. I was always always at least 2 meters away from the girls, and the camera was mounted on a stand for the shoot.</p> <p>As such, any notion that one of the girls somehow managed to knock the camera</p>	<p>4. Saya mencoba memperkenalkan diri saya kepada orang-orang yang berada di rumah itu, termasuk ke anak-anak. Saya sempat bisa mengobrol ramah dengan orang-orang di rumah itu, dan anak-anak merasa tidak apa-apa dengan kehadiran saya di sana dan terlihat relative normal mengingat mereka sudah menjadi yatim piatu.</p> <p>Anak-anak tidak pernah dekat dengan kamera sepanjang pengambilan gambar di sana. Saya selalu ada jarak paling sedikit 2 meter dari anak-anak, dan kamera itu dipasang di stand untuk mengambil gambar.</p>



<p>from my hand is simply untrue. It simply never happened.</p>	<p>Oleh karena itu, tidaklah benar kalau ada pernyataan kalau anak-anak itu bisa memukul kamera dari tangan saya sampai jatuh. Hal ini tidak pernah terjadi.</p>
<p>5. Not long after Rini Soegiyono arrived at the house, I recalled there were several phone calls coming to the servant's phone and the grandfather's younger brother. I came to learn that it was the grandfather who saw Rini Soegiyono from the CCTV and immediately called the house and ordered us to leave immediately escorted by security.</p> <p>I saw the grandfather's younger brother approached me along with one of the housing complex security guard and demanded us to immediately stop shooting, pack our equipment and leave at the instruction of the girls' grandfather.</p> <p>I was surprised because the grandfather's younger brother's demeanor changed completely in that he raised his voice and became very loud, threatening, and confrontational and forced us to leave after he received the call from his brother. This happened while the girls were in the house.</p> <p>I tried to explain my situation and assignment to them to relay it to the grandfather, but the grandfather was insistent on stopping my work and wanted me to immediately leave. After a heated tirade from him, I made the decision to leave. I also witnessed Ms. Rini Soegiyono leaving the house as well.</p>	<p>5. Tidak lama setelah Bu Rini Soegiyono tiba di lokasi, saya ingat bahwa ada telpon masuk ke pembantu dan ke adik dari kakek. Saya baru tahu belakangan kalau itu adalah kakek dari anak-anak yang melihat Ibu Rini Soegiyono di CCTV dan langsung menelpon ke rumah untuk segera mengusir kami dan memanggil pihak keamanan.</p> <p>Saya melihat adik dari kakek dan seorang petugas keamanan kompleks perumahan datang dan meminta kita untuk segera menghentikan shooting, segera membereskan alat-alat dan pergi sesuai dengan perintah dari kakek anak-anak.</p> <p>Saya kaget karena adik kakek itu berubah sikap total hingga suaranya naik dan keras, dan menjadi sangat konfrontational sambil memaksa kami untuk segera pergi setelah menerima telpon dari saudaranya. Hal ini terjadi sewaktu anak-anak berada di dalam rumah.</p> <p>Saya mencoba menjelaskan situasi dan tugas saya kepada mereka dan untuk dijelaskan kepada kakek, tetapi si kakek tetap kukuh untuk menghentikan kerja saya dan minta saya untuk segera pergi. Setelah beberapa saat menerima omelan mereka, saya membuat keputusan untuk</p>

	pergi. Saya juga menyaksikan Ibu Rini Soegiyono pergi dari rumah itu.
6. At the same time, one of the domestic workers suddenly communicated to me that there were CCTV surveillance installed at the house and it was being live monitored by the girls' grandfather. As a result of the live surveillance, the domestic worker also received instructions from the grandfather to ask me to immediately leave the premises.	6. Di waktu yang bersamaan tiba-tiba salah seorang pembantu menyampaikan ke saya bahwa ada pemantauan CCTV yang terpasang dirumah tersebut dan sedang dipantau oleh kakek anak-anak. Oleh karenanya si pembantu mendapati pesan dari Kakek untuk saya dapat segera meninggalkan rumah tersebut.
7. As I am packing and preparing to leave, I saw one of the domestic workers receiving multiple calls from the grandfather asking her whether we are leaving, and from what I can tell observing the phone conversation he was badgering her to make sure we leave as soon as possible.	7. Sewaktu saya membereskan alat-alat dan siap-siap untuk pergi, saya melihat salah seorang pembantu rumah tangga menerima telpon dari kakek terus menerus, dan dari yang saya lihat dari percakapannya sepertinya kakek terus merongrong mereka untuk supaya kita segera pergi dari rumah itu.
I left the premises once I finished packing my equipment. I was shocked and saddened by this. I filmed multiple other families who lost loved ones on the flight. The grandfather's reaction was strangely violent and created anxiety and stress and fear for everyone on the premises as far as I could see.	Setelah semua alat dibereskan saya segera pergi dari rumah itu. Saya kaget dan sedih dari kejadian ini. Saya sudah mengambil gambar dari keluarga-keluarga korban yang juga kehilangan anggota keluarga di pesawat itu. Tetapi reaksi kakek ini sangat keras dan membuat kecemasan, kegelisahan, dan ketakutan untuk semua yang berada di rumah itu sejauh yang saya bisa lihat.
I swear under penalty of perjury under the laws of the State of Illinois that the foregoing is true and correct.	Saya bersumpah dibawah hukum atas kesaksian palsu dibawah undang-undang negara bagian Illinois bahwa pernyataan di atas ini adalah asli dan sebenarnya.

Executed on this 8th of June, 2020 in  
Jakarta, Indonesia.

Ditandatangani di Tanggal 8 Juni, Tahun  
2020 di Jakarta, Indonesia.

A handwritten signature in black ink, appearing to read 'Duddy Bastaman Surasenjaya', with a horizontal line underneath it.

DODDY BASTAMAN SURASENJAYA



**EXHIBIT 3**

**TO DECLARATION OF MICHAEL B. INDRAJANA IN  
SUPPORT OF PLAINTIFF RINI SOEGIYONO'S REPLY BRIEF**

**DECLARATION OF HENDI SUCAHYO SUPADIONO/  
SURAT PERNYATAAN HENDI SUCAHYO SUPADIONO**

<p>1. My name is Hendi Suchyo Supadiono. I am a citizen and resident of Republic of Indonesia. I am 18 years of age and I have personal knowledge of the matters stated below and, if called as a witness, could and would testify thereto.</p>	<p>1. Nama saya adalah Hendi Suchyo Supadiono. Saya adalah warganegara dan penduduk Republik Indonesia. Saya sudah berumur lebih dari 18 tahun, dan saya punya pengetahuan pribadi dari pernyataan-pernyataan berikut ini, dan jikalau dipanggil untuk menjadi saksi, bersedia dan akan bersaksi sesuai dengan pernyataan dibawah ini.</p>
<p>2. I am a partner at the Indonesian Law Firm Kailimang-Ponto located in Jakarta, Indonesia. I am licensed to practice law in Indonesia. My firm was engaged by Plaintiff Rini Soegiyono to investigate matters related to the conduct of Plaintiff Nurdin Rahman Semendawai and to protect the interests of the surviving Plaintiffs.</p>	<p>2. Saya adalah salah seorang partner di kantor hukum Kailimang-Ponto di Jakarta, Indonesia. Saya memiliki ijin praktek advokat di Indonesia. Kantor hukum saya mewakili Penggugat Ibu Rini Soegiyono untuk investigasi kasus menyangkut perbuatan Penggugat Bapak Nurdin Rahman Semendawai dan untuk melindungi kepentingan Penggugat lainnya.</p>
<p>3. On February 21, 2020, I learned that Mr. Wahyu Putra ("Wahyu"), the youngest son of Nurdin Semendawai and the younger brother of decedent Andri Wiranofa, came to the residence of Hidayat Siman, R.T., i.e. "Magistrate" for Dukuh.</p> <p>I received information that Mr. Wahyu came and intimidated Mrs. Siman, harshly demanding why her photocopy of her identification card was in the possession of Rini Soegiyono's legal counsel.</p>	<p>3. Pada tanggal 21 Februari 2020, saya mendapatkan informasi bahwa Bapak Wahyu Putra ("Wahyu"), anak bungsu dari Bapak Nurdin Semendawai dan adik laki-laki almarhum Andri Wiranofa, mendatangi rumah bapak Hidayat Siman, kepala R.T. Dukuh.</p> <p>Menurut informasi yang saya terima, Pak Wahyu datang ke rumah dan mengintimidasi istri Pak Siman, dengan secara keras menanyakan mengapa fotokopi KTP istri Pak Siman bisa berada di tangan pengacara Ibu Rini Soegiyono.</p>
<p>4. I contacted Mr. Hidayat Siman in that afternoon of February 21<sup>st</sup>, 2020, and Mr. Siman answered his phone. I identified myself to Mr. Siman, and confirmed with Mr. Siman that Mr. Wahyu did indeed came to his home twice on that day, the first time encountering Mrs. Siman while Mr. Siman was away, and the second time when Mr. Siman was in fact at home.</p> <p>Mr. Siman confirmed to me that Mrs.</p>	<p>4. Saya menghubungi Pak Hidayat Siman sekitar siang hari itu tanggal 21 Februari 2020, dan Pak Siman menjawab teleponnya. Saya mengenalkan diri kepada Pak Siman, dan mengkonfirmasi dengan Pak Siman bahwa memang benar bahwa Pak Wahyu datang ke rumah beliau dua kali di hari itu, pertama sewaktu Pak Siman tidak berada di rumah, dan yang kedua kali sewaktu Pak Siman sudah pulang.</p> <p>Pak Siman mengkonfirmasi kepada</p>

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<p>Siman called him as soon as Mr. Wahyu left, and that she was terrified and intimidated by Mr. Wahyu's seemingly interrogation of her with harsh tone.</p> <p>According to Mr. Siman, Mrs. Siman responded to Mr. Wahyu that she did not know why and she asked Mr. Wahyu to contact Mr. Siman directly.</p>	<p>saya bahwa istri beliau segera menelpon Pak Siman setelah Pak Wahyu pergi, dan dia merasa terintimidasi dan takut sama Pak Wahyu yang dengan keras menginterogasi istri Pak Siman.</p> <p>Menurut Pak Siman, istri menjawab Pak Wahyu bahwa dia tidak tahu dan meminta Pak Wahyu untuk bertanya Pak Siman secara langsung.</p>
<p>5. Mr. Siman further told me that Mr. Wahyu called him shortly after he spoke with his wife and asked him when he would return home. Mr. Siman replied that he will be home at around 1:00 PM.</p> <p>Mr. Siman then said to me that shortly after he arrived home, Mr. Wahyu came to the house as discussed between them.</p> <p>Mr. Siman told me that Mr. Wahyu asked about the same exact question that he previously asked Mrs. Siman about the photocopied ID in a very harsh and intimidating manner.</p> <p>Mr. Siman told me in no uncertain terms that Mr. Wahyu also threatened Mr. Siman at this point that if he provided documents without proper consent, that he will report Mr. Siman to the police. It is unclear but concerning as to whether Mr. Wahyu was doing this based on instruction of his father Mr. Nurdin or U.S. Counsel or both.</p>	<p>5. Pak Siman terus bilang ke saya bahwa Pak Wahyu menelpon Pak Siman tidak lama setelah dia selesai menelpon istrinya dan Pak Wahyu tanya kapan Pak Siman akan berada di rumah. Pak Siman menjawab bahwa dia akan ada di rumah sekitar jam 1 siang.</p> <p>Pak Siman bilang ke saya bahwa tidak lama dia sampai di rumah, Pak Wahyu datang ke rumah sesuai dengan percakapan mereka sebelumnya.</p> <p>Pak Siman bilang ke saya Pak Wahyu menanyakan pertanyaan yang sama yang sebelumnya ditanyakan ke istri Pak Siman mengenai fotokopi KTP istri Pak Siman dengan nada yang keras dan bersifat mengintimidasi.</p> <p>Pak Siman juga dengan jelas menyatakan ke saya kalau Pak Wahyu juga sempat mengancam Pak Siman kalau memberikan dokumen tanpa hak, dia akan melaporkan Pak Siman ke polisi. Tidak jelas apakah Pak Wahyu melakukan hal ini berdasarkan petunjuk ayahnya Bapak Nurdin atau dari pengacara Amerika Serikatnya, atau keduanya sekaligus.</p>
<p>6. Mr. Siman told me that he tried to deescalate the situation and calmly explained to Mr. Wahyu that he never provided copies of Mrs. Siman's identification other than for proof that Mrs. Siman acted as a witness during the processing of decedent Niar Soegiyono's death certificate. Mr. Siman also told Mr. Wahyu that if he wants to report him to the police, then he can go ahead and do so.</p>	<p>6. Pak Siman bilang ke saya bahwa beliau jelaskan ke Pak Wahyu bahwa dia tidak pernah kasih fotokopi KTP istrinya ke Pengacara Bu Rini, namun benar pernah kasih hanya untuk keperluan urus surat kematian almarhumah Ibu Niar Soegiyono. Pak Siman juga bilang ke Pak Wahyu kalau mau lapor polisi silahkan saja.</p>

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<p>According to Mr. Siman, Mr. Wahyu seemed to be mollified with his response.</p> <p>On his way out, Mr. Wahyu reminded and demanded Mr. Siman to keep an eye on Rini Soegiyono, and that he was to report any activities by Rini Soegiyono directly to Mr. Wahyu.</p>	<p>Setelah dapat penjelasan, Pak Wahyu tidak menanyakan apa2 lagi dan menurut Pak RT, Pak Wahyu bisa menerima</p> <p>Sebelum pergi, Pak Wahyu juga mewanti-wanti Pak Dayat RT agar setiap ada perkembangan atau informasi terkait bu Rini agar diberitahukan ke Pak Wahyu.</p>
<p>I swear under penalty of perjury under the laws of the State of Illinois that the foregoing is true and correct.</p>	<p>Saya bersumpah dibawah hukum atas kesaksian palsu dibawah hukum negara bagian Illinois bahwa pernyataan di atas ini adalah asli dan benar.</p>
<p>Executed on this 8<sup>th</sup> June 2020 in Jakarta, Indonesia.</p>	<p>Ditandatangani di tanggal 8 bulan Juni tahun 2020 di Jakarta, Indonesia.</p>



HENDI SUCAHYO SUPADIONO

**EXHIBIT 4**

**TO DECLARATION OF MICHAEL B. INDRAJANA IN  
SUPPORT OF PLAINTIFF RINI SOEGIYONO'S REPLY BRIEF**

**DECLARATION OF HARRY F. SIMANJUNTAK/  
SURAT PERNYATAAN HARRY F. SIMANJUNTAK**

<p>1. My name is Harry F. Simanjuntak, S.H., M.H.. I am a citizen and resident of Republic of Indonesia. I am 18 years of age and I have personal knowledge of the matters stated below and, if called as a witness, could and would testify thereto.</p>	<p>1. Nama saya adalah Harry F. Simanjuntak, S.H., M.H. Saya adalah warganegara dan penduduk Republik Indonesia. Saya sudah berumur lebih dari 18 tahun, dan saya punya pengetahuan pribadi dari pernyataan-pernyataan berikut ini, dan jikalau dipanggil untuk menjadi saksi, bersedia dan akan bersaksi sesuai dengan pernyataan dibawah ini.</p>
<p>2. I am a partner at the Indonesian Law Firm Adams &amp; Co., Counsellors-at-Law located in Jakarta, Indonesia. I am licensed to practice law in Indonesia. My firm was engaged by Plaintiff Rini Soegiyono to investigate matters related to the conduct of Plaintiff Nurdin Rahman Semendawai and to protect the interests of the surviving Plaintiffs.</p>	<p>2. Saya adalah salah seorang partner di kantor hukum Adams &amp; Co., Counsellors-at-Law, di Jakarta, Indonesia. Saya memiliki ijin praktek advokat di Indonesia. Kantor hukum saya mewakili Penggugat Ibu Rini Soegiyono untuk investigasi kasus menyangkut perbuatan Penggugat Bapak Nurdin Rahman Semendawai dan untuk melindungi kepentingan Penggugat lainnya.</p>
<p>3. On Friday, May 29, 2020, I met with Mr. Hidayat Siman to confirm certain factual information relating to the written affidavit signed by Mr. Hidayat Siman dated February 23rd, 2020.</p> <p>Mr. Siman confirmed that he signed the document on that day, and on that day he met with Nurdin Rahman Semendawai's U.S. lawyer, his translator, and four other people at the hotel where the lawyer was staying. Mr. Siman was told that the ones who came from United States have stayed at the hotel for two weeks.</p>	<p>3. Pada tanggal 29 Mei 2020, saya bertemu dengan bapak Hidayat Siman untuk memastikan beberapa informasi fakta menyangkut dokumen affidavit tertulis yang ditandatangani oleh Pak Hidayat Siman di tanggal 23 Februari 2020.</p> <p>Pak Siman mengkonfirmasi bahwa beliau menandatangani dokumen tersebut pada hari itu, dan pada hari itu beliau bertemu dengan pihak pengacara Amerika Serikat bapak Nurdin Rahman Semendawai, seorang penterjemah, dan 4 orang lainnya. Pak Siman diberitahu bahwa pihak pengacara yang datang dari Amerika Serikat sudah menginap di hotel itu selama dua minggu.</p>
<p>4. When I asked whether Mr. Siman could speak or read and write in English, Mr. Siman told me that he could not speak or read English, but the statement he signed was translated by the U.S. lawyer's translator who was present at the time.</p>	<p>4. Sewaktu saya bertanya ke Pak Siman apakah beliau bisa bicara, membaca atau menulis dalam Bahasa Inggris, beliau menyatakan bahwa dia tidak bisa bicara atau membaca atau menulis dalam Bahasa Inggris, tetapi pernyataan yang dia tanda tangani</p>





	diterjemahkan oleh penterjemah pengacara Amerika Serikat yang hadir pada saat itu.
I swear under penalty of perjury under the laws of the State of Illinois that the foregoing is true and correct.	Saya bersumpah dibawah hukum atas kesaksian palsu dibawah hokum negara bagian Illinois bahwa pernyataan di atas ini adalah asli dan benar.
Executed on this 9th of June 2020 in Jakarta, Indonesia.	Ditandatangani di tanggal 9, bulan Juni tahun 2020 di Jakarta, Indonesia.



HARRY F. SIMANJUNTAK

**EXHIBIT 5**

**TO DECLARATION OF MICHAEL B. INDRAJANA IN  
SUPPORT OF PLAINTIFF RINI SOEGIYONO'S REPLY BRIEF**



\*Minor faces have been redacted to protect their identities per ECF rules.



November 2018 at Niar Soegiyono Funeral



November 2018 at Niar Soegiyono Funeral



\*Minor faces have been redacted to protect their identities per ECF Rules.



March 17th, 2019, Studying



March 17th, 2019, ice cream date



March 1st, 2019, at school



March 1st, 2019, at school with friends

**EXHIBIT 6**

**TO DECLARATION OF MICHAEL B. INDRAJANA IN  
SUPPORT OF PLAINTIFF RINI SOEGIYONO'S REPLY BRIEF**



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## CONTACT US

\* Indicates required field

Name \*

First



Last

Email \*

Comment \*

**SUBMIT**

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Tomi : 0812 2722 863

Melfi : 0812 9108 5545

Danto : 0813 1105 6833





**DAFTAR PERUSAHAAN JASA PENUNJANG MIGAS Non Online**  
**PERATURAN MENTERI ENERGI DAN SUMBER DAYA MINERAL NO. 27 TAHUN 2008**  
**BIDANG USAHA JASA KONSTRUKSI**  
**status Januari - Februari 2018**

NO	PERUSAHAAN	Kode	SUB BIDANG USAHA	ALAMAT	TELEPON / FAX	PIMPINAN	S K T	Tanggal
29	PT Noorel Idea	b.	Pelaksanaan Konstruksi Bangunan Gedung: Jasa Pelaksana untuk Konstruksi Bangunan Multi atau Banyak Hunian, Jasa Pelaksana untuk Konstruksi Bangunan Gudang dan Industri, Jasa Pelaksana untuk Konstruksi Bangunan Gedung Lainnya; Bangunan Sipil: Jasa Pelaksana Hunian Tunggal dan Koppel, Jasa Pelaksana untuk Konstruksi Bangunan Gedung lainnya; Bangunan Sipil: Jasa Pelaksana Konstruksi Instalasi Pengolahan Air Minum dan Limbah serta Bangunan Pengolahan Sampah, Jasa Pelaksana Konstruksi Jalan Raya, Rel, Kereta Api dan Landas Pacu Bandara, Jasa Pelaksana untuk Konstruksi Perpipaan Air Minum Lokal; Instalasi Mekanikal dan Elektrikal: Jasa Pelaksana Konstruksi Pemasangan Pipa Gas dalam bangunan, Konstruksi Instalasi Perpipaan Gas (Pekerjaan Rekayasa), Jasa Pelaksana Instalasi Fasilitas Produksi, Penyimpanan Minyak dan Gas (Pekerjaan Rekayasa)	Wisma GKBI Lantai 39 Suite 3901 - Jalan Jenderal Sudirman No. 28 - Jakarta Pusat	Telp: (021) 5703246 Fax: (021) 5747055	Nurhayati Yasri	666 Ke/19.11/DMT/2018	23-Jan-18
30	PT Offshore Services Indonesia	b.	Pelaksanaan Konstruksi Mekanikal: Instalasi Thermal, Bertekanan Minyak dan Gas (Pekerjaan Rekayasa), Konstruksi Perpipaan Minyak dan Gas (Pekerjaan Rekayasa)	Park View Plaza 4, Jalan Taman Kemang No. 27 R1/RW 14/01 - Bangka - Mampang Prapatan - Jakarta	-	Estridge Robert Clive	732 Ke/19.11/DMT/2018	24-Jan-18
31	PT Syntek Olomasi Indonesia	b.	Pelaksanaan Instalasi Mekanikal dan Elektrikal: Jasa Pelaksana Instalasi Jaringan Distribusi Tenaga Listrik Tegangan Rendah, Jasa Pelaksana Instalasi Sistem Kontrol dan Instrumentasi, Jasa Pelaksana Instalasi Tenaga Listrik Gedung dan Pabrik	Gedung World Center 5 Lantai 3A - Jalan Jenderal Sudirman Kav. 29-31 - Kel. Karet, Kec. Setiabudi - Jakarta Selatan	Telp: (021) 7986439 Fax: (021)	Fajar Satrowijoyo	736 Ke/19.11/DMT/2018	24-Jan-18
32	PT Dinamika Daya Utama	b.	Pelaksanaan Konstruksi Bangunan Gedung: Jasa Pelaksana untuk Konstruksi Bangunan Gedung Lainnya; Instalasi mekanikal dan elektrikal: Jasa Pelaksana Konstruksi Instalasi Pembangkit Tenaga Listrik Semua Daya, Jasa Pelaksana Konstruksi Instalasi Jaringan Distribusi Tenaga Listrik Tegangan Rendah, Jasa Pelaksana Konstruksi Instalasi Tenaga Listrik Gedung dan Pabrik	Citra Business Park Blok A-9 - Jalan Peta Barat, Kalideres - Jakarta Barat	Telp: (021) 29018252 Fax: (021) 29018255	Columbanus Priardanto	737 Ke/19.11/DMT/2018	24-Jan-18
33	PT Wijaya Raya Perkasa	b.	Pelaksanaan Konstruksi Sipil: Jasa Pelaksana untuk Konstruksi Saluran Air, Pelabuhan, Dam, dan Prasarana Sumber Daya Air Lainnya, Pekerjaan Pembongkaran, Pekerjaan Penyiapan dan Pematangan Tanah/Lokasi, Jasa Pelaksana untuk Konstruksi Perpipaan Air Minum Lokal; Mekanikal: Jasa Pelaksana Instalasi Perpipaan Gas (Pekerjaan Rekayasa) Instalasi Fasilitas Produksi, Penyimpanan Minyak dan Gas (Pekerjaan Rekayasa); Bangunan Gedung: Jasa Pelaksana untuk Konstruksi Bangunan Gudang dan Industri	Jalan Sumadinata No. 12A Cirebon - Jawa Barat	Telp: (0231) 236394 Fax: (0231) 220994	Heru Cahyono	742 Ke/19.11/DMT/2018	24-Jan-18